



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

17250 Yonge Street, Newmarket,
Ontario, Canada L3Y 6Z1

Tel: 905.830.4444 or 1.877.464.9675 ext. 77906

Fax: 905.895.5249

E-mail: psb@yrp.ca • Web: yrpsb.ca

REVISED AGENDA PUBLIC SESSION

Wednesday, March 21, 2018, 9:00 a.m.

COMMITTEE ROOM "A"

YORK REGION ADMINISTRATIVE CENTRE

17250 YONGE STREET

NEWMARKET, ONTARIO

Pages

1. Disclosure of Interest
2. Confirmation of Public Minutes of February 14, 2018 Board Meeting 1
3. Presentation
 - 3.1 Recognition of Outgoing Board Member John Molyneaux
4. Deputations

Nil.
5. Communications
 - 5.1 Correspondence from Eli El-Chantiry, Chair, Ontario Association of Police Services Boards, February 20, 2018 requesting member sponsorship for the 2018 Spring Conference and Annual General Meeting taking place May 23-26, 2018 at Blue Mountain Resort. 9
 - 5.2 Correspondence from Derek Sifton and Eric Tappenden, Co-Chairs, Organizing Committee, February 22, 2018, requesting sponsorship for the 26th Annual Police Appreciation Night taking place May 16, 2018 in Woodbridge, ON. 13
 - 5.3 Correspondence from Lisa Hewison, President, Ontario Women in Law Enforcement, February 27, 2018, requesting sponsorship for the 20th 15

Annual Awards Banquet taking place May 4, 2018 in Mississauga, ON.

- | | | |
|------------|--|-----------|
| 5.4 | Correspondence from Gillian Freeman, Executive Director, Victim Services of York Region, requesting sponsorship for the 3rd Annual Lip Sync Battle taking place on May 10, 2018 in King Valley, ON. | 17 |
| 5.5 | Correspondence from Mohamed Mo Salih, Chair, London Police Services Board, February 23, 2018, to the Minister of Community Safety and Correctional Services regarding court security costs. | 27 |
| 5.6 | Correspondence from Mohamed Mo Salih, Chair, London Police Services Board, February 27, 2018, to the Minister of Community Safety and Correctional Services regarding the Special Investigations Unit. | 29 |
| 5.7 | Correspondence from Carolyn Lance, Council Services Coordinator, Town of Georgina, March 6, 2018, regarding Georgina Town Council Resolution on the delivery of water and ice safety education workshops. | 37 |

6. Items for Consideration - Reports of the Chief of Police

- | | | |
|------------|--|-----------|
| 6.1 | Financial Statements (unaudited) for the Period Ending December 31, 2017. | 41 |
|------------|--|-----------|

RECOMMENDATION

1. That the Board receive the unaudited financial reports for the 12 month period ending December 31, 2017, pursuant to Financial Accountability Board Policy No. 01/05.

- | | | |
|------------|--|-----------|
| 6.2 | Proposals for Use of Public Relations Reserve Funds | 55 |
|------------|--|-----------|

RECOMMENDATION

1. That the Board approve disbursements from the Public Relations Reserve Fund to the Community Safety Village expansion project for \$100,000 and for the First Responders Day luncheon for \$10,000.

- | | | |
|------------|---|-----------|
| 6.3 | Report on Ontario Regulation 58/16: Collection of Identifying Information in Certain Circumstances (Street Checks) | 57 |
|------------|---|-----------|

RECOMMENDATION

1. That the Board receive this report pursuant to Board Policy 01/16 *Collection of Identifying Information in Certain Circumstances – Prohibition and Duties*.

- | | | |
|------------|--|-----------|
| 6.4 | 2017 Communication Tower Agreements | 69 |
|------------|--|-----------|

RECOMMENDATION

1. That the Board receive this report in accordance with the annual reporting requirements on the status of communication tower agreements in the Board's Installations on Radio Communication Towers Policy No. 02/09.

7. Items for Consideration - Reports of the Executive Director

- 7.1 Bill 175, Safer Ontario Act, 2018: Final Submission to the Standing Committee on Justice Policy** 71

RECOMMENDATION

1. That the Board receive the final written submission on Bill 175, *Safer Ontario Act*, 2017, (Appendix "A").

- 7.2 Amended Board Policies on Sexual Assault Investigations and Criminal Harassment Investigations** 97

RECOMMENDATION

1. That the Board approve the draft amendments to the Sexual Assault Investigations policy and the Criminal Harassment Investigations policy (Appendix "A").

- 7.3 *Ministry Inspection on the Investigation and Reporting of Firearms Discharges Causing Death or Injury*** 103

RECOMMENDATIONS

1. That the Board receive the correspondence and the Inspection Report from the Ministry of Community Safety and Correctional Services (the "Ministry"), as attached.
2. That the Board respond to the recommendation in the correspondence and the Report in accordance with its Audit Policy No. 01/08.

8. Unfinished Business

9. Other Business

9.1 Proposal to Change Board Meeting Date

10. Private Session

RECOMMENDATION

That the Board move into Private Session.

11. Reconvene in Public Meeting

12. Consideration of Private Items

1. Human Resources (Recommendation 1)
2. Appointment of Experienced Officers (Recommendation 1)
3. Appointment of Experiences Police Officers (Recommendation 1)

13. Confirmatory Bylaw

119

14. Adjournment

**THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD**

**DRAFT MINUTES OF THE PUBLIC MEETING
Subject to Board Approval**

February 14, 2018

The Board commenced its meeting of February 14, 2018 in Committee Room A, York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario on the above-noted date at 9:00 a.m. in public session.

Board Members Present: V. Hackson, Chair
J. Molyneaux, Vice Chair
W. Emmerson
B. Jiang

Absent: M. Bevilacqua
K. Usman

Board Staff: M. Avellino, Executive Director
J. Kogan, Administrative Assistant

YRP Present: E. Jolliffe, Chief of Police
T. Carrique, Deputy Chief of Police
A. Crawford, Deputy Chief of Police
S. Betts, Superintendent, Executive Officer to the Chief of Police
J. Channell, Manager, Financial Services
J. Fraser, General Counsel, Legal Services
K. Griffin, Manager, Corporate Communications

Region Legal & Court Services: J. Hulton, Regional Solicitor

50 DISCLOSURE OF INTEREST

Chair Hackson declared a conflict of interest with agenda item No. 5.7, correspondence from Cedar Centre. The disclosure of interest is due to Chair Hackson sitting on the Board for Cedar Centre.

Chair Hackson resolved to remove herself to consider item No. 5.7 and did not participate in any consideration or discussion of, or vote on any part of this item.

51 CONFIRMATION OF PUBLIC MINUTES OF JANUARY 17, 2018 BOARD MEETING

It was moved by Vice Chair Molyneaux, seconded by Chairman Emmerson that the Board confirm the minutes for the public session of the meeting held on January 17, 2018 in the form supplied to the members.

CARRIED

PRESENTATION

52 Hate Crime and Countering Violent Extremism

Moved by Ms Jiang, seconded by Chairman Emmerson that the presentation be received.

CARRIED

COMMUNICATIONS

53 Correspondence from Mr. Stephen Beckett, Assistant Deputy Minister, Ministry of Community Safety and Correctional Services, January 25, 2018, regarding the Ministry's response to the Ombudsman's Report on de-escalating conflict situations.

It was moved by Chairman Emmerson, seconded by Vice Chair Molyneaux that the Board receive the correspondence from Mr. Stephen Beckett, Assistant Deputy Minister, Ministry of Community Safety and Correctional Services, January 25, 2018 and that the matter be referred to the Chief of Police.

CARRIED

Action: Chief of Police

54 Correspondence from Mr. Stephen Beckett, Assistant Deputy Minister, Ministry of Community Safety and Correctional Services, January 26, 2018, regarding the launch of the expansion of the Ontario Naloxone Program to police services.

It was moved by Chairman Emmerson, seconded by Ms Jiang that the Board receive the correspondence from Mr. Stephen Beckett, Assistant Deputy Minister, Ministry of Community Safety and Correctional Services, January 26, 2018

CARRIED

55 Correspondence from the Hon. Marie-France Lalonde, Ministry of Community Safety and Correctional Services, January 30, 2018, regarding an extension of the appointment for Mr. John Molyneaux.

It was moved by Chairman Emmerson, seconded by Vice Chair Molyneaux that the Board receive the correspondence from the Hon. Marie-France Lalonde, Ministry of Community Safety and Correctional Services, January 30, 2018 and that the Chair send a letter to the Ministry requesting that Vice Chair Molyneaux's term of appointment be extended until the eighth year anniversary date of his appointment.

CARRIED

Action: Executive Director

56 Correspondence from Ms Morgan Terry, Manager, Operations Unit, Ministry of Community Safety and Correctional Services, February 1, 2018, regarding the Ministry Inspection of the Major Case Management Regulation, O.Reg. 354/04.

Moved by Chairman Emmerson, seconded by Vice Chair Molyneaux that the Board receive the correspondence from Ms Morgan Terry, Manager, Operations Unit, Ministry of Community Safety and Correctional Services, February 1, 2018, and that the matter be referred to staff to comply with the Ministry's request.

CARRIED

Action: Chief of Police, Executive Director

- 57 Correspondence from Ms Megan Thomas, Executive Director, Clarico Place of York Region, February 7, 2018, requesting sponsorship for the Moonlight Masquerade Gala taking place March 10, 2018 in Vaughan, ON.

It was moved by Ms Jiang, seconded by Vice Chair Molyneaux that the Board receive the correspondence from Ms Megan Thomas, Executive Director, Clarico Place of York Region, February 7, 2018 and approve sponsorship.

CARRIED

Action: Executive Director

- 58 Correspondence from Ms Catherine Curtis, Executive Director, Women's Centre of York Region, February 8, 2018, requesting sponsorship for the second annual spring luncheon "Celebrating Women and Girls" taking place May 6, 2018 in Aurora, ON.

It was moved by Chairman Emmerson, seconded by Ms Jiang that the Board receive the correspondence from Ms Catherine Curtis, Executive Director, Women's Centre of York Region, February 8, 2018, and approve Silver Sponsorship.

CARRIED

Action: Executive Director

- 59 Correspondence from Ms Alison L. Peck, Executive Director, Cedar Centre, February 12, 2018, requesting sponsorship for the 21st Annual Signature Gala taking place April 28, 2018 in Vaughan, ON.

It was moved by Chairman Emmerson, seconded by Ms Jiang that the Board receive the correspondence from Ms Alison L. Peck, Executive Director, Cedar Centre, February 12, 2018, and approve corporate table sponsorship.

CARRIED

Action: Executive Director

ITEMS FOR CONSIDERATION - REPORTS OF THE CHIEF OF POLICE

60 Direct Purchase Belt Pouches and Plain Clothes Belt Systems

It was moved by Vice Chair Molyneaux, seconded by Chairman Emmerson that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board authorize the direct purchase of duty belt pouches and plain clothes belt systems from Summit Canada Distributors Inc. at a cost of \$80,000 annually plus applicable taxes; and,
2. That the Board approve the award of the contract for a period of one year with an option to renew for four additional one-year terms, subject to satisfactory

performance and the Chief's approval, at a total cost of \$400,000 excluding HST, if all options were exercised; and,

3. That the Chief of Police be authorized to execute the contract, and any options to renew the contract, subject to the approval of the Regional Municipality of York's Regional Solicitor, or designate, as to this form and content.

CARRIED

61 Direct Purchase of Helicopter Parts

It was moved by Chairman Emmerson, seconded by Vice Chair Molyneaux that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board authorize the direct purchase of helicopter parts from Canadian Helicopters Limited for an initial term not to exceed \$220,000 plus applicable taxes; and,
2. That the contract be awarded for a period of two years, with an option to renew for one additional one-year period commencing January 1, 2020, for a total cost of \$330,000 if all option years are exercised; and,
3. That the Chief of Police be authorized to exercise the option to renew the parts agreement on behalf of the Board, contingent upon execution of the one-year contract extension of the Pilot and Maintenance contract with Canadian Helicopters Limited; and,
4. That the Chief of Police be authorized to execute the contract, and any renewal, subject to the approval of Region's Legal Services as to form and content.

CARRIED

62 Execution of Documents Bylaw and Purchasing Bylaw

It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report pursuant to the Execution of Documents By-Law No. 08-15 and Purchasing By-Law 10-17 quarterly reporting requirements.

CARRIED

63 2017-2019 Business Plan Year 1 Status

It was moved by Ms Jiang, seconded by Vice Chair Molyneaux that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report.

CARRIED

64 **Annual Report on Freedom of Information Access Requests**

It was moved by Chairman Emmerson, seconded by Vice Chair Molyneaux that the Board adopt the following recommendation contained in the Report of the Chief of Police and, further, that the matter be referred to staff to report back on the ability to increase the mandatory fee required for these requests:

1. That the Board receive this report in accordance with its By-Law No. 09-15, a By-Law to Establish Administration Policies for *Municipal Freedom of Information and Protection of Privacy Act* Access Requests.

CARRIED

65 **Annual Report on the Disposal of Assets - 2017**

It was moved by Ms Jiang, seconded by Chairman Emmerson that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receives this report for information.

CARRIED

66 **Annual Report on Public Complaints**

It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report pursuant to Section 31(1)(j) of the *Police Services Act*, Board By-Law No. 01-11 respecting the Administration of the Complaints System under Part V of the *Police Services Act*.

CARRIED

67 **Annual Report on Solicitations and Donations**

It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board receive this report in accordance with the Board's Public Donations and Sponsorships Policy No. 01/15; and
2. That the Board approve 2017 donations greater than \$10,000 from the attached Appendix A totalling \$92,055 in cash donations and a \$65,000 non-cash donation.

CARRIED

ITEMS FOR CONSIDERATION - REPORTS OF THE EXECUTIVE DIRECTOR

68 **Public Relations Reserve Fund Semi-Annual Report**

It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Executive Director:

1. That the Board receive this report in accordance with its Public Relations Reserve Fund Policy No. 08/08.

CARRIED

69 **Bill 175, Safer Ontario Act, 2017: Draft Submission to the Standing Committee on Justice Policy**

It was moved by Vice Chair Molyneaux, seconded by Chairman Emmerson that the Board adopt the following recommendations contained in the Report of the Executive Director:

1. That the Board approve the draft submission on Bill 175, *Safer Ontario Act, 2017*, (Appendix "A").
2. That the Board forward the approved written submission to the Standing Committee on Justice Policy by March 1.

CARRIED

CONSIDERATION OF MOTION TO MOVE INTO PRIVATE SESSION

- 70 *It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board convene in Private Session for the purpose of considering confidential items pertaining to legal and personnel matters in accordance with Section 35(4) of the Police Services Act.*

CARRIED

The Board met in Private Session at 10:30 a.m. and reconvened in the public session at 11:58 a.m.

CONSIDERATION OF MOTION TO MOVE INTO PUBLIC SESSION

- 71 *It was moved by Chairman Emmerson, seconded by Ms Jiang that the Board rise and report from the Private Session.*

CARRIED

CONSIDERATION OF PRIVATE ITEMS

- 72 *It was moved by Vice Chair Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendations contained in the Reports of the Chief of Police:*

Human Resources

1. That the Board appoint one civilian, pursuant to Section 31(1)(a) of the *Police Services Act*.

Sergeant or Detective Promotions

1. That the Board receive this report for information.

CARRIED

73 **CONFIRMATORY BYLAW**

The Board had before it Bylaw No. 02-18. The Bylaw is necessary to confirm the proceedings of the Board at this meeting.

It was moved by Chairman Emmerson, seconded by Vice Chair Molyneaux, that Bylaw No. 02-18, being "a Bylaw confirming the proceedings of the Board at this meeting," be read and enacted.

Bylaw No. 02-18 was read and enacted as follows:

"To confirm the proceedings of the Board at this meeting".

CARRIED

74 **ADJOURNMENT**

It was moved by Ms Jiang, seconded by Vice Chair Molyneaux that the meeting be adjourned.

CARRIED

The meeting adjourned at 12:00 p.m.

Mafalda Avellino
Executive Director

Mayor Virginia Hackson
Chair

Minutes to be confirmed and adopted at the next regular meeting of the Board to be held on March 21, 2018.

Accessible formats or communication supports are available upon request.



ONTARIO ASSOCIATION OF POLICE SERVICE BOARDS

180 Simcoe Street, London Ontario, N6G 1H9

TEL. 1-519-659-0434

Seeking Your Help! – PSB Members

The Ontario Association of Police Service Boards' 2017 Spring Conference and AGM is being held from May 23-26, 2018 at the Blue Mountain Resort in Blue Mountain, Ontario. The theme for this year's conference is ***"Implementing the New Police Services Act"***.

Each year our conference features engaging speakers addressing topical subjects. This year we've added a few more 'fun' activities, to help create a more enjoyable and memorable experience. Notably, golf is available on the premises. During the conference, you will also have the opportunity to explore the beautiful scenery that Blue Mountain has to offer.

The program is shaping up to be really, really good this year – but we need your help!

Each year we rely on participation and sponsorship to help make the conference successful. We ask that your board (and zone) consider sponsoring the conference.

Please contact us at admin@oapsb.ca or 1-800-831-7727 to take advantage of one or more of these unique sponsorship opportunities listed below.

Respectfully,

A handwritten signature in black ink, reading 'Eli El Chantiry'.

Eli El-Chantiry
Director & President

A handwritten signature in black ink, reading 'Fred Kaustinen'.

Fred Kaustinen
Executive Director



2018 Spring Conference & Annual General Meeting

Member Sponsorship Opportunities

Diamond - \$10,000+

- Keynote Speaker Sponsor & Introducer
- Recognition in the conference program
- Recognition OAPSB website
- Letter of Appreciation

Platinum - \$5,000 to \$9,999

- Keynote speaker sponsor or Elvis night sponsor
- Recognition in the conference program
- Recognition on the OAPSB website
- Letter of appreciation

Gold - \$2,000 to \$4,999

- Breakfast/Lunch Sponsor
- Recognition in the conference program
- Recognition on the OAPSB website
- Letter of appreciation

Silver - \$1,000 to \$1,999

- Coffee break sponsor
- Recognition in the conference program
- Recognition on the OAPSB website
- Letter of appreciation

Bronze – Up to \$999

- Recognition in the conference program
- Recognition on the OAPSB website
- Letter of appreciation

ONTARIO ASSOCIATION OF POLICE SERVICE BOARDS

180 Simcoe Street, London Ontario, N6G 1H9

TEL. 1-519-659-0434



Corporate Marketing Opportunity – Police Sector

The Ontario Association of Police Service Boards' 2018 Spring Conference and AGM is being held from May 23-26, 2018 at the Blue Mountain Resort in Blue Mountain, Ontario. The OAPSB is a not-for-profit organization representing over 160 police service boards from across the Province.

The theme for this year's conference is *"Implementing the New Police Services Act"*. At a time when so many changes are taking place within the police sector, now is the time to have your company or organization get in front of the **300-plus delegates** that are directly effecting those changes. These include members of a wide-range of decision-makers from police service boards, municipal councils, police services including OPP, as well as provincial government.

Space is limited, so please contact us at admin@oapsb.ca or 1-519-659-0464 to take advantage of one or more of these unique marketing opportunities listed below.

Respectfully,

A handwritten signature in black ink, reading 'Eli-El Chantiry'.

Eli- El-Chantiry
Chair

A handwritten signature in black ink, reading 'Fred Kaustinen'.

Fred Kaustinen
Executive Director



2018 Spring Conference & Annual General Meeting

Corporate Marketing Opportunities

Partner - \$10,000

- Special recognition throughout the conference
- Company logo placement on website and printed material, identifying 'partnership'
- Electronic logo placement on screen (rotating with other sponsors) during the conference
- Your company name against one key element of the conference (e.g. Elvis Tribute Dinner or keynote Speaker)
- 1 display table (booth)
- Introduce or thank a program speaker
- 3 conference passes

Session Speaker - \$5,000

- Special recognition throughout the conference
- Company logo placement on website and printed material
- Electronic logo placement on screen (rotating with other sponsors) during the conference
- 1 display table (booth)
- One 20-minute speaking opportunity
- 1 conference pass

**Fees based per speaker*

**Speaker and subject matter is subject to review and approval*

Booth Sponsor - \$3,000

- Company logo placement on website and printed material
- Electronic logo placement on screen (rotating with other sponsors) during the conference
- 1 display table
- 2 conference passes

Session Sponsor - \$1,500

- Company logo placement on website and printed materials
- Electronic logo placement on screen (rotating with other sponsors) during the conference
- Introduce or thank a program speaker
- 1 conference pass

POLICE APPRECIATION NIGHT

Leadership in Community



WEDNESDAY, MAY 16, 2018

Founding Members

Michael Burns
George Crothers
Moffat Dunlap
Leo McArthur
Ken Sinclair

February 22, 2018

Chief of Police

Eric Jolliffe

Co-chairs

Derek Sifton
Eric Tappenden

Organizing Committee

Desiree Amato
Lina Bigioni
David Blackwell
Charles Burns
Michael Burns
Thomas Carrique
Scott Cole
André Crawford
John Dunlap
Drew Gerrard
Susan LaRosa
Paul Martin
Blair McArthur
Dem Rogers
Kelly Sinclair
Louise Sirisko
Scott Smith
Daisy Wai

Ms. Mafalda Avellino
Executive Director
The Regional Municipality of York Police Services Board
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Dear Mafalda

Re. 26th Annual Police Appreciation Night

Thank you for supporting the Annual Police Appreciation Night last year as a Gold Sponsor

This year's event will be held on Wednesday, May 16, 2018, at the Paramount Conference Event Venue, 222 Rowntree Dairy Road, Woodbridge and we hope you will again support this event as a Gold Sponsor. Sponsorship is in the amount of \$10,000. Gold Sponsors receive a table of eight at a prime location, preferred parking, logo recognition in all multimedia presentations throughout the evening, a full page ad in the program and social media recognition on Twitter, Facebook and Instagram

Thank you for your consideration and if you have any questions, please do not hesitate in contacting me.

Address all

correspondence to:

Police Appreciation
Night Committee

Co-Chairs:

Derek Sifton
Eric Tappenden
c/o

York Regional Police
47 Don Hillock Drive
Aurora, Ontario
L4G 0S7

For more information
on this event, please
visit yrp.ca/pan

Derek Sifton
Co-Chair

Eric Tappenden
Co-Chair



Event Sponsor

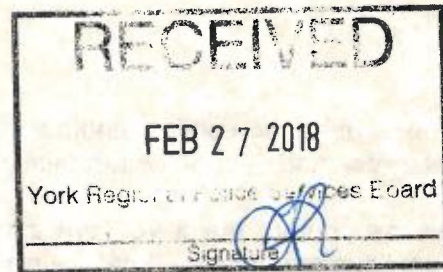




Email: president@owle.org
OWLE
HAWTHORNE
P.O. Box 30004, Milton, Ontario,
L9T0L8

February 24th, 2018

York Regional Police Services Board
Attention: Mayor Virginia Hackson- Chair
17250 Yonge St. – 3rd Floor
Newmarket, Ont. L3Y6Z1



Mayor Hackson,

Re: Ontario Women in Law Enforcement 20th Annual Awards Banquet

On Friday, May 4th, 2018 the Ontario Women in Law Enforcement (OWLE) will host their Annual Awards Banquet at the Mississauga Grand Banquet Hall, 35 Brunel Road, Mississauga.

Along with the presentation of Service Awards 25, 30, 35 & 40 years (to both civilian and sworn members), this event recognizes the significant contribution of women in law enforcement across Ontario. Awards are presented in the following categories:

Leadership, Mentoring, Excellence in Performance, Valor, Community service, Civilian Service, Heritage, Presidential Awards, Team Endeavours (includes male and female officers / civilians), and Law Enforcement Professional of the Year.

The names of the OWLE award recipients are submitted to the International Association of Women Police (IAWP) where they compete in their respective categories for international recognition. In 2017, three of our award recipients received international recognition in Cairns Australia during the IAWP annual training conference.

The Ontario Women In Law Enforcement is grateful for your continued support and we hopeful you will consider maintaining that support in 2018. The success of our annual awards banquet is attributed to the continued support of our annual sponsors. We would like to add York Regional Police Services Board to our list of sponsors.

Platinum Sponsorship of \$2000: Includes 3 x complementary banquet tickets; recognition in the awards program; advertisement in OWLE's on-line biannual magazine, organizations link on our website.

Gold Sponsorship of \$1000: Includes 2 x complementary banquet tickets; recognition in the awards program; advertisement in OWLE's on-line biannual magazine, organizations link on our website.

Silver Sponsorship of \$500: Includes 1 x complementary banquet ticket; recognition in the awards program; advertisement in OWLE's on-line biannual magazine, organizations link on our website.

Proud members of the International Association of Women Police and Ontario Association of Chiefs of Police



Email: president@owle.org
OWLE
HAWTHORNE
P.O. Box 30004, Milton, Ontario,
L9T0L8

I hope either yourself or another representative will be available to attend and assist in the presentation of an award this year.

Please contact me if you are interested in sponsoring our event or if you have any questions or concerns. I can be reached anytime at president@owle.org

If the Board is not in a position to sponsor our event please consider attending the event and/or purchase of a corporate table. The link for general registration and corporate tables can be found on our website www.owle.org. Come celebrate the amazing accomplishments of women in the Law Enforcement profession!

Thank you in advance for your anticipated continued support!

Sincerely,

Lisa Hewison
President – Ontario Women in Law Enforcement

Mafalda Avellino,
Executive Director
York Regional Police Services Board
17250 Yonge Street
4th Floor
Newmarket, Ontario
L3Y 6Z1

Dear Mafalda Avellino,

Victim Services of York Region is a non-profit, charitable organization that works in partnership with York Regional Police to provide twenty-four hour crisis intervention support to persons victimized by crime and tragic circumstance. This partnership is unique and to be celebrated as collaboratively we are able to provide essential services to persons impacted by crime.

Victim Services of York Region is co-hosting a fundraising event with KRG Insurance to benefit victims of crime. Our hope is that the York Regional Police Services Board will sponsor the event in the amount of \$1000.00 which will allow two representatives from the Police Services Board to attend this event.

We thank you in advance for your consideration of this request.

Sincerely,

Gillian Freeman

Gillian Freeman,
Executive Director
Victim Services of York Region Incorporated

Crime and Tragedy affect all of us. We all need someone to stand by us at such times.

Victim Services of York Region is a non-profit, charitable agency that works in partnership with York Regional Police and the O.P.P. to provide 24 hour emotional support and practical assistance to persons victimized by crime or tragic circumstance.



VS
Y

Victim Services
of York Region

3rd Annual

USP SYRVE
EVENT

MAY 10th 2018
King Valley Golf Club

Sponsorship Package



Join us...

For a night filled with great fun, food and entertainment while we bring awareness and provide support to victims of tragedy and crime within York Region.

Join us, and help make a difference to those who need it most.

Tragedy and crime are unexpected and can affect us all. Not everyone has someone to stand by them during those times.

Together, we can help change lives.

The Cause

Victim Services of York Region is a non-profit, community-based charitable organization working in partnership with York Regional Police, the Ontario Provincial Police, and York Region Fire Services to provide support and assistance to victims of crime and sudden tragedy and attend to the needs of these individuals, families and communities.

Victim Services attend a home, hospital, police station or crime scene to assist with cases of homicide, sexual assault, domestic violence, elder abuse, hate crime, traffic fatalities, human trafficking, suicide, and much more.

It is the vision of Victim Services of York Region that all persons who have been victimized by crime or tragic circumstance in the Region of York receive an immediate, caring, skilled, effective, and supportive coordinated response with an emphasis on compassion and respect for personal dignity and privacy.



THE EVENT

Date: Thursday May 10th 2018

5:30PM Cocktails | 6:PM Food Stations | 7PM Show

Location:

King Valley Golf Club
15675 Dufferin Street, King Valley ON L7B 1K5

Theme: Lip Sync Battle

Groups and individuals will be performing songs of their choice using props, costumes, dance routines and even backup singers, with a panel of special guest Judges to decide the winner.

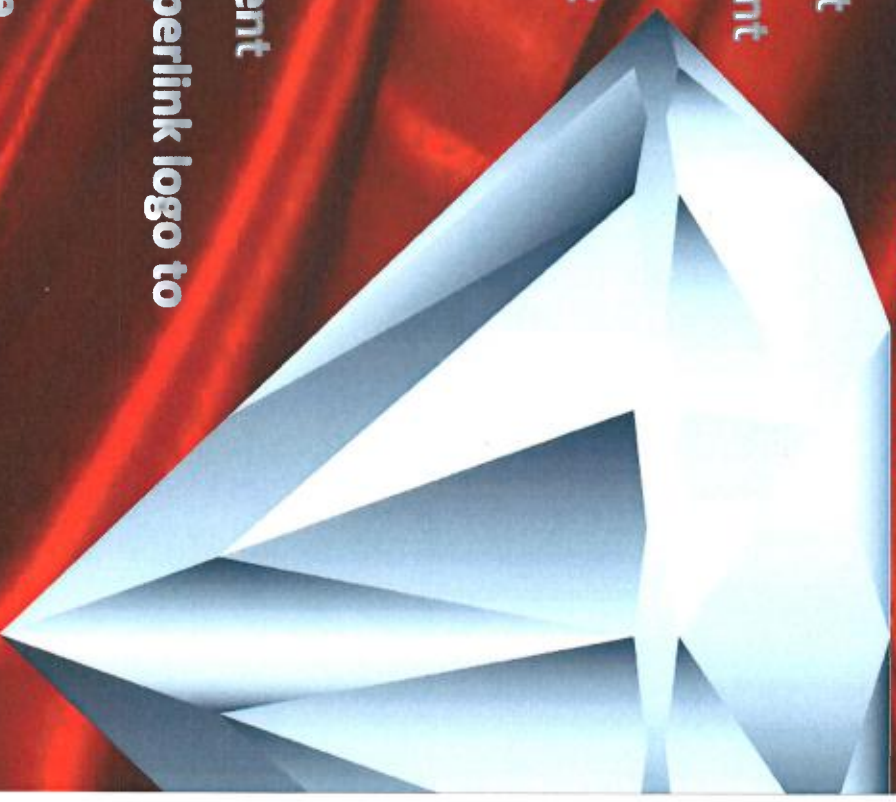
Outrageous and hilarious performances are highly encouraged.

Tickets: \$100

Includes: Food, open bar and entertainment

\$15,000 DIAMOND RECORD PRESENTING SPONSOR

- ◆ Tier 1 logo placement on all marketing and promotional materials
- ◆ Tier 1 logo placement on media wall at Event
- ◆ Logo present throughout venue during Event
- ◆ 10 tickets to the Event
- ◆ Limousine transportation to and from Event
- ◆ Reserved table + seating during show
- ◆ Opportunity to deliver welcoming remarks
- ◆ 'Diamond Record' recognition plaque
- ◆ Recognition from Victim Services during Event
- ◆ Corporate profile on event web page with hyperlink logo to corporate website
- ◆ Dedicated recognition in media press release
- ◆ Opportunity for onsite brand installation



\$10,000 DOUBLE PLATINUM RECORD

- ◆ Tier 2 logo placement on all marketing and promotional materials
- ◆ Tier 2 logo placement on media wall at Event
- ◆ Logo present throughout venue during Event
- ◆ 8 tickets to the Event
- ◆ Reserved table + seating during show
- ◆ 'Double Platinum Record' recognition plaque
- ◆ Recognition from Victim Services at Event
- ◆ Corporate profile on event web page with hyperlink logo to corporate website
- ◆ Mention in media press release



\$5000 PLATINUM RECORD

- ◆ Tier 3 logo placement on media wall at Event
- ◆ Logo present at Event
- ◆ 6 tickets to Event
- ◆ Reserved seating during show
- ◆ 'Platinum Record' recognition plaque
- ◆ Recognition from Victim Services at Event
- ◆ Recognition on Event web page



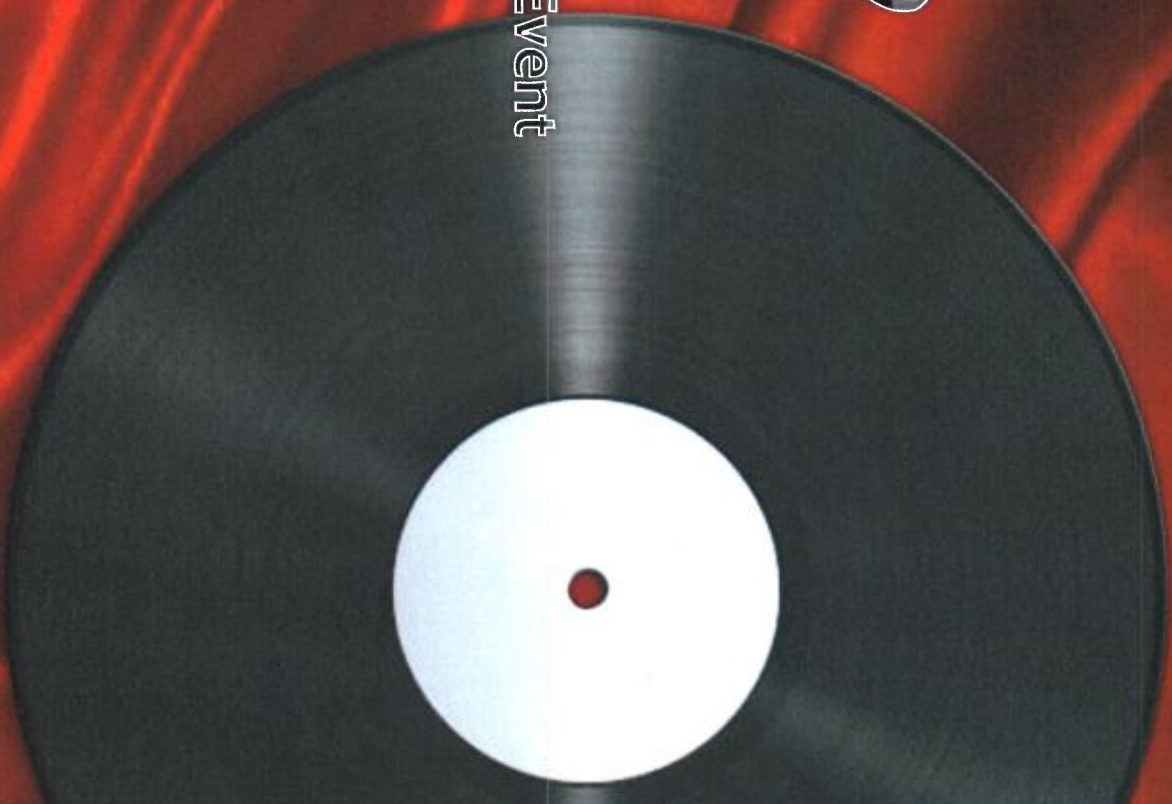
\$2500 GOLD RECORD

- ◆ Logo present at Event
- ◆ 4 tickets to Event
- ◆ Reserved seating during show
- ◆ 'Gold Record' recognition plaque
- ◆ Recognition from Victim Services at Event
- ◆ Recognition on Event web page



§1000 BLACK VINYL RECORD

- ◆ Logo present at Event
- ◆ 2 Tickets to Event
- ◆ Recognition from Victim Services at Event
- ◆ Recognition on Event Web Page





LONDON POLICE SERVICES BOARD

BOARD MEMBERS
M. SALIH, CHAIR
S. TOTH, VICE CHAIR
MAYOR M. BROWN, MEMBER
DR. J. EBERHARD, MEMBER
V. AMBTMAN-SMITH, MEMBER
COUNCILLOR J. HELMER, MEMBER

February 23, 2018

The Honourable Marie-France Lalonde, Minister of Community Safety and Correctional Services
Ministry of Community Safety and Correctional Services
25 Grosvenor Street, 18th Floor
Toronto, ON M7A 1Y6

Dear Minister Lalonde,

I write to you on behalf of the London Police Services Board (LPSB) to share our concern related to the current funding formula for the payment of Court Security Costs to police services. The province's current funding formula for Court Security costs is inadequate in relation to the costs actually incurred by the London Police Service (LPS).

LPS's expenses for Court Security include Court Prisoner staff salaries, benefits, outfitting and recruiting, operating costs and vehicle costs. These expenses continue to rise as labour costs rise, operating costs such as fuel rise, new courts are opened as well as increasing courthouse service charges laid by other police services. These additional and increasing expenses fall to municipalities, despite the fact that activities within the courthouse fall under the mandate of the Ministry of Community Safety and Correctional Services (MCSCS). Such financial shortfalls are especially problematic in times of increasingly stringent municipal budgets, growing costs in so many areas of the operation of a police service and the many competing and costly priorities in policing today.

Specifically, recent variances in LPS's Ministry allocation versus total net annual costs for the LPS's Court Security program were:

2015:	- \$1,920,285.50
2016:	- \$1,602,324.67
2017:	- \$1,313,238.15 (unaudited at time of writing)

MCSCS funding covered only one half of LPS's actual Court Security costs in 2015, two-thirds of LPS's actual Court Security costs in 2016 and 60% of LPS's actual Court Security costs in 2017 (with 2017 being unaudited as of this date).

601 Dundas Street, P.O. Box 3415, London, Ontario, N6A 4K9
Tel: 519-661-5646 Fax: 519-661-1053
Email: lpsb@police.london.ca

We strongly encourage your Ministry to review what we consider a deficient funding formula and we encourage MCSCS to begin to appropriately fund the Court Security cost envelope for communities in Ontario. We look forward to hearing back from you at your earliest opportunity in relation to this matter.

Sincerely,



Mohamed Mo Salih, Chair
London Police Services Board
lpsb@police.london.ca
601 Dundas Street, P.O. Box #3415
London, Ontario N6A 4K9
Telephone: (519) 661-5646



LONDON POLICE SERVICES BOARD

BOARD MEMBERS
M. SALIH, CHAIR
S. TOTH, VICE CHAIR
MAYOR M. BROWN, MEMBER
DR. J. EBERHARD, MEMBER
V. AMBTMAN-SMITH, MEMBER
COUNCILLOR J. HELMER, MEMBER

February 27, 2018

The Honourable Marie-France Lalonde, Minister of Community Safety and Correctional Services

Ministry of Community Safety and Correctional Services
25 Grosvenor Street, 18th Floor
Toronto, ON M7A 1Y6

Dear Minister Lalonde,

I write to you on behalf of the London Police Services Board (LPSB) to share our concern related to the Special Investigations Unit's (SIU) position on the administration of Naloxone by police officers.

A letter was written by SIU Director Tony Loparco on February 15, 2018 and shared with police service and board organizations and your Ministry, in response to a letter from the Ontario Association of Chiefs of Police (copies of which are included here for your reference). The Director's letter reiterates SIU's policy to investigate serious or fatal cases involving officers administering Naloxone, including cases in which no other police interaction caused or contributed to the serious injury or death.

The London Police Services Board remains concerned about the lack of practicality of this course of action by the SIU, and feels it has the potential to discourage officers from acting as expeditiously as possible to save the lives of some of the most vulnerable in our community. Police across Canada continue to encounter deaths believed to have been caused directly or indirectly by the fentanyl crisis. Saving lives of individuals experiencing an overdose and protecting our officers whether that is by Naloxone or another permitted emergency medical-based response are of paramount importance. It is in the public interest to promote lifesaving measures, especially the use of Naloxone in the midst of the opioid crisis.

British Columbia's oversight body, the Independent Investigations Office, whose mandate is similar to Ontario SIU's, has decided that overdose deaths where Naloxone is administered will not be investigated by them. Our Board would like to see similar practice by Ontario's oversight body.

601 Dundas Street, P.O. Box 3415, London, Ontario, N6A 4K9

Tel: 519-661-5646 Fax: 519-661-1053

Email: lpsb@police.london.ca

We have a strong interest in this time sensitive and critical matter as it relates to the work of our police service and the interests of our community, and we look forward to hearing back from you at your earliest opportunity.

Sincerely,

A handwritten signature in dark ink, appearing to read "M Salih", is centered within a white rectangular box.

Mohamed Mo Salih, Chair
London Police Services Board
lpsb@police.london.ca
601 Dundas Street, P.O. Box #3415
London, Ontario N6A 4K9
Telephone: (519) 661-5646

Cc:

John Pare, Chief, London Police Service
Deb Matthews, Member of Provincial Parliament
Peggy Sattler, Member of Provincial Parliament
Teresa Armstrong, Member of Provincial Parliament
Jeff Yurek, Member of Provincial Parliament
Tom Gervais, MCSCS Zone 6 Advisor



Independent Investigations – Community Confidence • Enquêtes indépendantes – Collectivités rassurées

February 15, 2018

Bryan Larkin
Chief of Police, Waterloo Regional Police Service
President, Ontario Association of Chiefs of Police
40 College Street, Suite 605
Toronto, Ontario
M5G 2J3

Dear Chief Larkin:

Re: Administration of Naloxone by Police Officers and SIU Mandate

I write in response to your letter of January 11, 2018 (received by this office on January 29, 2018), a copy of which is attached for reference.

The SIU wishes to be very clear regarding the legal jurisdiction of this office vis-à-vis incidents involving the administration of naloxone by police officers, and the attendant legal obligations on chiefs of police to notify the SIU immediately of incidents within its mandate. The SIU is established under section 113 of the *Police Services Act* to investigate police officers in cases of serious injury or death. Incidents involving the administration, attempted administration or non-administration of naloxone by police officers in the course of interactions with persons who sustain serious injury or death could reasonably be captured by the SIU's investigative jurisdiction. Section 3 of O. Reg. 267/10 therefore requires that chiefs of police immediately notify the SIU of these incidents. In this regard, we would do well to recall the words of The Honourable George W. Adams in his 2003 review report on the SIU.¹ At p. 37 of the report, he wrote:

In my original report, I noted there was broad agreement that the SIU should be notified immediately whenever its jurisdiction is reasonably suspected to have been engaged. I also noted that it was not practical for a police service to attempt to determine the SIU's jurisdiction in a strict legal sense before

¹ Ontario, Review report on the Special Investigations Unit reforms prepared for the Attorney General of Ontario by the Honourable George W. Adams, Q.C. (Toronto: Ministry of the Attorney General, 2003).

5090 Commerce Boulevard / 5090, boulevard Commerce, Mississauga, Ontario L4W 5M4
Tel/Tél: (416) 622-0748 • 1-800-787-8529 • Fax/Télé: (416) 622-2455 • www.siu.on.ca

RETURN DATE: _____	<input checked="" type="checkbox"/> FOR YOUR INFORMATION	<input type="checkbox"/> NOTE AND SEE ME	<input type="checkbox"/> TAKE APPROPRIATE ACTION	<input type="checkbox"/> INVESTIGATE AND REPORT	<input type="checkbox"/> DRAFT REPLY FOR MY SIGNATURE	TO: SENIS & OFFICER	CHIEF CORR # 48-18	DATE RECD FEB 15
--------------------	--	--	--	---	---	--------------------------------	---------------------------	-------------------------

via mail and email

cc Mr. Paddy Malone
London Police Services Board

notification is effected because of the inherent uncertainty (and subjectivity) of many incidents. In continuing to approach the issue as one of strict jurisdiction, any police service runs the serious risk of having its actions perceived as a rejection of civilian oversight and a violation of the duty to cooperate as expressed in the Regulation. The community will have more confidence in the SIU deciding not to get involved than if that decision is made for it by the very police service involved or associated with an event.

The SIU's mandate is investigatorial and, surely like an administrative tribunal, it has the jurisdiction to initially decide if its jurisdiction has been or should be activated. It can only exercise that jurisdiction if chiefs of police take a deferential gate-keeper approach and immediately notify the SIU when there is a reasonable basis or "air of reality" for doing so.

Accordingly, this office fully expects chiefs of police to abide by their legal obligations and immediately notify this office of these types of incidents whereupon, you may rest assured, this office will discharge its legal obligations in the pursuit of its mandate. Some notifications will result in the investigation being discontinued at an early stage, some may entail full investigations, and others may result in no file being opened at all. The point is, as Mr. Adams made clear, those determinations must be made by the oversight agency. To do otherwise, quite frankly, would be to abdicate our mutual responsibilities.

You equate the administration of naloxone with the provision of other types of emergency medical treatment by police officers, such as CPR. We agree. We part company, however, with the suggestion that incidents involving these other types of medical interventions by police officers have historically not been reported to the SIU. In point of fact, the SIU is regularly notified of serious injuries and deaths where the extent of police involvement is initially reported to have been limited to emergency medical treatment. I see no reason to carve out an exception in naloxone cases. Nor do we agree with your assertion that these types of cases were not intended to be captured by the SIU's legislation. Representatives of various community groups in contact with this office would disagree with your interpretation. They fully expect the police to report these types of cases to the SIU under the terms of the governing legislation.

I wish to address one further issue raised by your letter. It concerns the suggestion that to allow the SIU to investigate serious injury and death cases involving the administration of naloxone may discourage officers from "acting quickly to save lives". The SIU rejects the contention that the vast majority of police officers might do anything

less than act swiftly in the discharge of their foremost duty, namely, the preservation of life, for fear that their conduct will be subject to a fair and independent investigation.² Conversely, a fair and independent investigation is precisely the answer for the small minority of officers who may have fallen short in their duty, a position with which the OACP presumably agrees.

In closing, I encourage police leadership throughout the province to refrain from unilaterally adopting positions that purport to restrict the jurisdiction of their civilian overseer against the plain meaning of its statutory mandate. Doing so risks not merely placing their membership in contravention of the law, but undermines the confidence that the public should have in its policing services. The OACP's past efforts to promulgate their own, narrower definition of "serious injury", which came in for criticism in Mr. Adams' SIU review report of 2003 (pp. 31-39),³ should serve as a lesson in this regard.

Sincerely,



Tony Loparco
Director

TL/kw

Attachment

cc: The Honourable Kathleen Wynne, Premier
The Honourable Yasir Naqvi, Attorney General
The Honourable Marie-France Lalonde, Minister of Community Safety and
Correctional Services
Bruce Chapman, President, Police Association of Ontario
Mike McCormack, President, Toronto Police Association
Rob Jamieson, President, Ontario Provincial Police Association
Eli El-Chantiry, President, Ontario Association of Police Services Boards
Dorijan Najdovski, Press Secretary and Issues Manager, Minister's Office,
Ministry of Community Safety and Correctional Services

² It would be similar to suggesting that an officer might choose not to get involved in a hostage situation, for example, because his or her actions might draw SIU scrutiny. To take this position to its logical conclusion would be to imply that some police officers would refuse to get involved in potentially difficult situations because of a fear that the SIU might scrutinize their actions. The suggestion in relation to any professional, self-respecting officer cannot be condoned.

³ *Supra*, fn 1.

OACP Board of Directors

All Ontario Chiefs of Police

SIU Director's Resource Committee Members:

Margaret Parsons, Executive Director, African Canadian Legal Clinic

Matthew Boissonneault, African Canadian Legal Clinic

Nigel Barriffe, Director, Urban Alliance on Race Relations

Arthur Downes

Avvy Go, Metro Toronto Chinese and South East Asian Legal Clinic

Julian Falconer, Falconers LLP

Asha James, Falconers LLP

Emily Hill, Legal Advocacy Director, Aboriginal Legal Services of Toronto

Caitlyn Casper, Aboriginal Legal Services of Toronto

Hussein Hamdani

Ganesan Sugumar



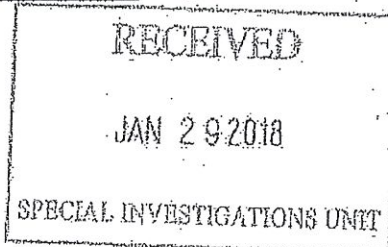
OACP

40 College Street
Suite 605
Toronto ON
M5G 2J3
Tel: (416) 926-0424
Fax: (416) 926-0436

www.oacp.ca

January 11, 2018

Mr. Tony Loparco
Director, Special Investigations Unit
5090 Commerce Boulevard
Mississauga, ON L4W 5M4



Dear Mr. Loparco:

Re: Administration of Naloxone by Police Officers

I am writing in my capacity as President of the Ontario Association of Chiefs of Police (OACP) regarding the apparent position of the Special Investigation Unit (SIU) and recent comments made by the Senior Advisor - Press Secretary to the Minister of Community Safety and Correctional Services, Yanni Dagonas, regarding the administration of the potential life-saving drug, Naloxone, by police officers.

The OACP is concerned by the reported position of your agency that police must advise the SIU whenever a death occurs during a police interaction and, in particular, when the administration of Naloxone was attempted or given. With respect, that is not how the legislation reads nor is it logical or practical. For years, police officers have arrived at the scene of an accident, medical call or drug overdose where the person is in critical condition, dying or dies while the police are interacting with them. In fact, those deaths will often occur during or after the administration of emergency first aid, Cardiopulmonary Resuscitation (CPR) or an Automated External Defibrillator (AED). Simply put, those are not SIU calls nor was the legislation drafted to capture those incidents.

We see no difference when a police officer attempts to revive a person who has died or is dying from a drug overdose, whether that is by Naloxone or another permitted (and expected) emergency-medical based response. The drug has saved the lives of Ontarians, with little to no known negative effects.

The OACP suggests that there be a clear position provided by the SIU that is similar to British Columbia's Independent Investigations Office (IIO) policy – that overdose deaths where Naloxone was administered or attempted to be administered by police officer, with no other police interaction causing or contributing to the person's death or medical crisis, are not SIU matters. We also believe it is vital to directly deal with the potential and unintended consequence of "investigating such cases may discourage officers from acting quickly to save lives during the B.C.'s fentanyl overdose public-health emergency" (per IIO). Why should that not equally apply to Ontario citizens and police officers?

Obviously and after a person is revived, if the police had to use force on the individual to restrain them or arrest them, then the SIU should properly be advised to see whether they will invoke their mandate on a case-by-case basis. However, and no different than any failed attempt to administer emergency medical treatment authorized by the service, we

Vision: Building excellence in police leadership for safer communities.



40 College Street
Suite 605
Toronto ON
M5G 2J3
Tel: (416) 926-0424
Fax: (416) 926-0436

www.oacp.ca

believe that the SIU need not be called and police services will not be calling them provided the absence of those other factors or considerations.

As always, I am willing to discuss this matter or any other SIU-related matter with you.

Sincerely,

Bryan Larkin
Chief of Police, Waterloo Regional Police Service
President, Ontario Association of Chiefs of Police

BL/jlc

c.
The Honourable Kathleen Wynne, Premier of Ontario,
The Honourable Yasir Naqvi, Attorney General for Ontario
The Honourable Marie-France Lalonde, Minister of Community Safety and Correctional Services
Mr. Bruce Chapman, President, Police Association of Ontario
Mr. Mike McCormick, President, Toronto Police Association
Mr. Rob Jameson, President, Ontario Provincial Police Association
Mr. Eli-El Chandiry, President, Ontario Association of Police Services Boards
Mr. Yanni Dagonas, Senior Advisor - Press Secretary to the Minister of Community Safety and Correctional Services
OACP Board of Directors
All Ontario Chiefs of Police

Good morning Ms. Kogan.

This is to advise you that Georgina Town Council considered an email request by Cynthia Cordova, Georgina School Trustee, for support of the delivery of water and ice safety education workshops in Georgina schools, and passed the following motion:

Moved by Regional Councillor Davison, Seconded by Councillor Neeson

RESOLUTION NO. C-2018-0110

That Town Council support the delivery of water and ice safety education workshops introduced by Cynthia Cordova, Georgina School Trustee, to be provided to elementary school students in collaboration with the Superintendent of Schools of Georgina, their elementary school administrators, and in partnership with the York Region Police Marine Unit, and that this endorsement be forwarded to the York Region Police Services Board to determine if the Board would support the idea of conducting some education within the schools respecting water and ice safety.

Carried.

Accordingly, Town Council would like the Police Services Board to consider supporting the idea of conducting water and ice safety education within the schools.

Thank you for your time and consideration of this matter.



Carolyn Lance

Council Services Coordinator

Clerk's Division | Town of Georgina

26557 Civic Centre Road, Keswick, ON | L4P 3G1

905-476-4301 Ext. 2219 | georgina.ca

Follow us on [Twitter](#) and [Instagram](#)

Like us on [Facebook](#)

To: YRP Board
RE: Resolution No. C-2018-0110
From: YRDSB- Georgina Trustee- Cynthia Cordova

Thank you for accepting our interest in partnering with YRP and YRDSB Schools in Georgina to deliver a life saving education on water/ice safety. I would like to provide some information and solutions below:

History:

The curriculum department at YRDSB has a basic water safety program. Given that Georgina has over 52 kms of lakefront and three rivers, plus several storm water management ponds, not to mention backyard pools and ponds, water and ice safety is a topic that comes up as a concern from both the Town of Georgina and myself the, YRDSB Trustee of 13 schools in Georgina. Our community is in favor that we provide more education to our schools in regards to lake safety (water and ice safety) throughout the year. This would fall under our Care and Safe School.

I am writing to request the support of our YRP Community Partners to support us in regards to water and ice safety education for the children in Georgina. Through my role as Trustee, and in collaboration with The Town of Georgina, Superintendent, Principals of our Georgina schools, and their High School and elementary school administrators, we wish to partner with the York Region Police Marine Unit in the delivery of water and ice safety workshops to students. Such workshops would be delivered by York Region Police at assemblies scheduled in our elementary and High schools this year, and in subsequent years. Given the many kilometres of shoreline in our region and the vicinity of our students to Lake Simcoe, it is important that children demonstrate safe practices in swimming in the lake and while on the ice when the lake is frozen.

Town Supporting letter: Moved by Regional Councillor Davison, Seconded by Councillor Neeson

RESOLUTION NO. C-2018-0110

That Town Council support the delivery of water and ice safety education workshops introduced by Cynthia Cordova, Georgina School Trustee, to be provided to elementary school students in collaboration with the Superintendent of Schools of Georgina, their elementary school administrators, and in partnership with the York Region Police Marine Unit, and that this endorsement be forwarded to the York Region Police Services Board to determine if the Board would support the idea of conducting some education within the schools respecting water and ice safety. **Carried.**

Solutions

Moving forward as soon as possible with this program this year would look like the following for all 13 schools (2 High Schools and 11 Elementary Schools):

1. April, May, June would have a 45 min to 1 hour presentation at each schools during these months to provided water safety. These months would consist of throwing of ice, swimming and prepare the students for water safety for summer. (High schools would be geared more to their level on concerns)
2. Oct, Nov, Dec would have a 45min to 1 hour presentation on Ice safety. These months would consist of ice awareness, hypothermia and prepare the students for ice safety for winter ice fishing, skating. (High schools would be geared more to their level on concerns ie. Snowmobiling, drinking, hypothermia etc)

As you can see awareness of water and ice safety is a real concern in Georgina and I would like to ensure that our Students and Georgina residence receive safety education on this matter. I would like to see this program run consistently every year at all 13 of our Georgina schools per year.

Your assistance in supporting this request would be greatly appreciated.

Thank you,

Cynthia Cordova
School Trustee - Georgina
York Region District School Board
289-716-3359 cynthia.cordova@yrdsb.ca

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

MARCH 21, 2018

**Financial Reporting (unaudited) for the Period
Ending December 31, 2017**

RECOMMENDATION

1. That the Board receive the unaudited financial reports for the 12 month period ending December 31, 2017, pursuant to Financial Accountability Board Policy No. 01/05.

SYNOPSIS

The Regional Municipality of York Police Services Board (the “Board”) is 88.5 percent spent at the end of December 31, 2017. York Regional Police is 97.7 percent spent for the same time period. The year-end Operating surplus is \$7,134,810, or two percent. A Schedule of Reserves Balances totalling \$8,889,390 and Schedule of Capital Budget Spending with current year spending totalling \$16,880,256, have also been supplied for information purposes.

FINANCIAL IMPLICATIONS

Previous year-end estimates provided to the Board projected the 2017 net operating expenditure to be within approved funding, in a surplus position of approximately \$3.1 million, or one percent. The actual year-end surplus of \$7.1 million includes \$3.1 million from Salaries and Benefits, \$2.7 million underspending in directly controlled expense, \$1.2 million from favourable revenues, and \$0.2 million from indirectly controlled expenses. A detailed analysis is provided in the attached Schedule of Year-End Variances to Budget report as well as Financial Notes.

BACKGROUND

The Board's Financial Accountability Policy states that "the Chief of Police shall report monthly on actual financial performance to the Police Services Board". The Regional Municipality of York Finance Department year-end accounting period is now complete and the unaudited financial reports for the Board and York Regional Police for the period ending December 31, 2017, are attached to this report.

Net expenditures for the Board are \$376,747 or 88.5 percent of budget. For comparison purposes, the Operating Budget for the Board was 100.4 percent spent at December 31, 2016. Favourable variances exist in the meetings, training, legal fees and consultant accounts, which is offset by unfavourable spending on salaries and computer software.

Net expenditures for York Regional Police are \$303,279,372 or 97.7 percent of budget. For comparison purposes, the Operating Budget for York Regional Police was 100.3 percent spent at December 31, 2016.

Expenditures for salaries include \$2.3M of unbudgeted sick bank payouts and \$1.5M for paid duty officer earnings that are offset by unbudgeted draws from Sick Bank Reserve and Paid Duty revenue. Administration expense, program related, and minor equipment accounts are below budget, primarily due to lower than anticipated costs and spending. Favourable variances in occupancy cost and contributions to reserves accounts are due to delay of completion or postponement of capital projects.

Favourable revenues from Paid Duty Earnings, Clearance Letters, and Volunteer Applicant Screening are due to increased volume during 2017. Revenues are under plan in Accident Reports due to the Board's direction to cancel unpaid invoices issued for MVCRs from June 22, 2016 to March 23, 2017. The results reflect credits issued for 2017 invoices, which were processed in July, totalling \$741,553 pre-tax. In October 2017, credits were issued for 2016 outstanding invoices in the amount of \$2,037,640 pre-tax. The revenue impact of these credits was offset against a provision for Bad Debt Expense, which was initiated in 2016 due to collection uncertainty. As in past years, the financial reporting excludes any prior year corporate adjustments, regional allocations, and non-budgeted charges for tangible capital assets.

The results of the external audit are scheduled to be reported to the Board at the June 27, 2018 meeting. It is therefore recommended that the unaudited financial reports for December 31, 2017 be received in accordance with the monthly reporting requirements outlined in the Financial Accountability Board Policy No. 01/05.

EJ/II

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request

Schedule of Operating Budget Spending as of December, 2017

	Year-to-Date Actuals			Board	Annual Budget		Board	Balance		% Spent
	Board	YRP	Total		YRP	Total		YRP	Total	
Salaries	\$248,590	\$229,658,901	\$229,907,491	\$241,000	\$227,983,600	\$228,224,600	-\$7,590	-\$1,675,301	-\$1,682,891	100.7%
Overtime	\$0	\$3,526,267	\$3,526,267	\$0	\$3,843,000	\$3,843,000	\$0	\$316,733	\$316,733	91.8%
Benefits	\$56,452	\$60,446,087	\$60,502,539	\$58,000	\$60,645,828	\$60,703,828	\$1,548	\$199,741	\$201,289	99.7%
Administration expense	\$115,618	\$8,638,848	\$8,754,466	\$129,200	\$9,306,850	\$9,436,050	\$13,582	\$668,002	\$681,584	92.8%
Program related expense	\$0	\$7,520,018	\$7,520,018	\$0	\$9,097,600	\$9,097,600	\$0	\$1,577,582	\$1,577,582	82.7%
Professional services expense	\$20,502	\$438,974	\$459,476	\$65,000	\$385,000	\$450,000	\$44,498	-\$53,974	-\$9,476	102.1%
Occupancy expense	\$0	\$7,627,639	\$7,627,639	\$0	\$8,006,736	\$8,006,736	\$0	\$379,097	\$379,097	95.3%
Repairs and maintenance expense	\$0	\$5,437,220	\$5,437,220	\$0	\$5,148,800	\$5,148,800	\$0	-\$288,420	-\$288,420	105.6%
Financial items	\$0	\$4,997,682	\$4,997,682	\$0	\$7,128,541	\$7,128,541	\$0	\$2,130,859	\$2,130,859	70.1%
Contributions to reserves	\$69,942	\$8,288,111	\$8,358,053	\$60,000	\$8,499,489	\$8,559,489	-\$9,942	\$211,378	\$201,436	97.6%
Internal charges	\$0	\$1,147,131	\$1,147,131	\$0	\$1,310,000	\$1,310,000	\$0	\$162,869	\$162,869	87.6%
Minor equipment	\$6,645	\$569,319	\$575,964	\$7,500	\$622,115	\$629,615	\$855	\$52,796	\$53,651	91.5%
Total expenditures	\$517,750	\$338,296,197	\$338,813,947	\$560,700	\$341,977,560	\$342,538,260	\$42,950	\$3,681,363	\$3,724,312	98.9%
Provincial funding	\$0	-\$13,405,750	-\$13,405,750	\$0	-\$12,980,200	-\$12,980,200	\$0	\$425,550	\$425,550	103.3%
Fees and charges	-\$69,942	-\$15,100,951	-\$15,170,894	-\$60,000	-\$14,370,300	-\$14,430,300	\$9,942	\$730,651	\$740,594	105.1%
Contributions from reserves	-\$71,061	-\$6,510,124	-\$6,581,185	-\$75,000	-\$4,261,831	-\$4,336,831	-\$3,939	\$2,248,293	\$2,244,354	151.8%
Total revenues	-\$141,004	-\$35,016,825	-\$35,157,829	-\$135,000	-\$31,612,331	-\$31,747,331	\$6,004	\$3,404,494	\$3,410,498	110.7%
Net operating budget spending	\$376,747	\$303,279,372	\$303,656,118	\$425,700	\$310,365,229	\$310,790,929	\$48,953	\$7,085,857	\$7,134,810	97.7%
Percentage spent	88.5%	97.7%	97.7%							

Notes / Assumptions

1. Excludes Regional allocations for telephone, occupancy, information technology, human resources, legal, and finance
2. Excludes non-budgeted PSAB charges for Tangible Capital Asset costs for amortization, debt principle and gain/loss on disposal of assets
3. Includes 2017 budget re-statement for benefits

Schedule of Capital Budget Spending as of December 31, 2017

Project	Project #	Commenced	Capital Authority	Project Spending		Inception to Date	Balance	% Spent	Anticipated Completion
				Prior Years	Current Year				
Training facility	29040	2013	\$29,315,492	\$23,600,492	\$5,682,152	\$29,282,645	\$32,848	99.9%	Aug 2017
#3 District marine headquarters	29031	2011	\$8,098,419	\$298,419	\$2,463,265	\$2,761,684	\$5,336,735	34.1%	Dec 2018
Vehicles (replacement and additional staff)	29010	2017	\$4,050,000	\$0	\$4,079,636	\$4,079,636	-\$29,636	100.7%	Dec 2017
Land Bank Acquisition	29045	2017	\$3,000,000	\$0	\$0	\$0	\$3,000,000	0.0%	N/A
#4 District renovations	29043	2014	\$1,764,779	\$349,779	\$281,450	\$631,229	\$1,133,550	35.8%	Dec 2018
Business intelligence	29011	2015	\$1,927,281	\$1,327,281	\$499,466	\$1,826,747	\$100,534	94.8%	Dec 2017
Information technology hardware and software	29022	2017	\$1,274,000	\$0	\$1,239,985	\$1,239,985	\$34,015	97.3%	Dec 2017
Technical investigations	29023	2015	\$717,642	\$139,642	\$0	\$139,642	\$578,000	19.5%	Dec 2018
King sub-station	29046	2016	\$1,100,030	\$30	\$2,963	\$2,993	\$1,097,037	0.3%	Dec 2018
Information technology infrastructure	29030	2017	\$1,023,000	\$0	\$1,061,083	\$1,061,083	-\$38,083	103.7%	Dec 2017
CSV expansion and renovations	29051	2017	\$850,000	\$0	\$257,633	\$257,633	\$592,367	30.3%	Dec 2018
Specialized equipment	29017	2017	\$665,000	\$0	\$523,400	\$523,400	\$141,600	78.7%	Dec 2017
Existing facilities renovations	29033	2017	\$252,000	\$0	\$290,691	\$290,691	-\$38,691	115.4%	Dec 2017
#1 District multi-function	29020	2017	\$250,000	\$0	\$7,170	\$7,170	\$242,830	2.9%	Dec 2020
Employee scheduling	29039	2017	\$190,000	\$0	\$91,161	\$91,161	\$98,839	48.0%	Dec 2017
Police helicopter retrofit	29050	2017	\$141,000	\$0	\$140,971	\$140,971	\$29	100.0%	Dec 2017
In-car video	29026	2017	\$131,000	\$0	\$142,205	\$142,205	-\$11,205	108.6%	Dec 2017
YRPNet re-write	29048	2016	\$115,000	\$0	\$117,024	\$117,024	-\$2,024	101.8%	Dec 2017
Total capital budget spending			\$54,864,644	\$25,715,644	\$16,880,256	\$42,595,900	\$12,268,744	77.6%	

Notes:

1. Capital Authority represents prior year project spending and amounts approved in the Capital Budget for single-year and multi-year projects.

Schedule of Reserve Balances as of December 31, 2017

Reserve fund	Reserve #	Balance at Dec. 31/16	Funding to Reserve	Funding to Budget	Interest Earned	Balance at December 31/17
Board public relations fund	89595	\$297,114	\$69,942	-\$71,061	\$5,192	\$301,187
Development charge reserve	89335	\$13,052,198	\$4,706,876	-\$5,127,950	\$295,783	\$12,926,907
Sick bank reserve	89615	-\$3,479,946	\$1,500,000	-\$2,273,293	-\$85,465	-\$4,338,704
Total reserves		\$9,869,366	\$6,276,818	-\$7,472,305	\$215,510	\$8,889,390

Schedule of Year-End Variances to Budget as of December 31, 2017

Category	Major Components	Amount	
Wages			
Salaries	Salary (includes Sick Leave payout, offset in Sick Leave Reserve)	-\$1,686,534	
Contributions from reserves	Offset: Sick Leave Reserve Draw	\$2,273,293	
Fees & charges	Offset: Earnings for Paid Duties	\$1,452,808	
Sundry revenue	Offset: Joint Force projects	\$386,322	
Other revenue	Offset: Secondments	\$111,826	
Benefits	OMERS, Canadian Pension Plan, Employment Insurance, Extended Health, Dental, etc.	\$201,319	
Subtotal salaries and benefits, net of directly offsetting revenues			\$2,739,034
Net overtime	Salary, Court and Returned Overtime		\$316,733
Total Wages net of directly offsetting revenues			\$3,055,767
Indirectly controlled expenses			
Internal charges	Fuel and Diesel	\$642,054	
Contributions to reserves	Regional Fuel Cost Stabilization	-\$469,266	
Subtotal Fuel and Diesel		\$172,788	
Financial items	Debt Issuance Fees, Debt Principle, Debt Interest, Debt Repaid by Development Charges	\$23,473	
	Bad Debt Expense (offset in Accident Revenues)	\$2,037,639	
Fees and charges	Offset: Bad Debt Expense	-\$2,037,639	
Subtotal indirectly controlled accounts			\$196,261
Directly controlled expenses			
Program Specific expense	Investigative Expense \$600K, Firearms equipment \$73K, Personnel Agency Fees \$146K (court document delivery)	\$815,210	
Contributions to reserves	Facilities, Vehicle and Specialized Equipment Capital Projects	\$680,644	
Occupancy expense	Heat & Hydro \$260K, Office Cleaning & Caretaking \$130K	\$383,619	
Professional services	Health and Wellness \$150K, Air Support \$110K, Staff Services \$100K	\$364,143	
Administration expense	Telecommunication Network \$117K, Printing \$123K, Fleet Maintenance (\$263K), Office Supplies \$90K, Training \$180K	\$272,921	
Minor equipment	Purchase of Equipment	\$78,940	
Financial items	Bank Charges	\$73,361	
Subtotal directly controlled accounts			\$2,668,838
Revenues			
Fees and charges	Various accounts	\$827,277	
Provincial funding	Grants unbudgeted in 2017 - Provincial Anti-Violence Intervention Strategy, Youth In Policing Initiatives, Victim Stay-At-Home Fund	\$425,550	
Contribution from reserves	Seized Money	-\$38,881	
Subtotal non-salary related revenues			\$1,213,946
Total York Regional Police Surplus			\$7,134,812

**Police Services
Operations**

Year to Date Actuals

Annual Budget

Unexpended Amount

% Expended

Expenditures

Salary	1000	226,092,326.54	225,424,600.09	-667,726.45	100.30
SalaryOverTime	1020	3,390,820.76	3,251,600.00	-139,220.76	104.28
CourtOvertime	1021	1,548,799.85	1,667,700.00	118,900.15	92.87
ReturnedOvertime	1022	-1,413,353.94	-1,076,300.00	337,053.94	131.32
Salary Adjustments	1050	3,815,164.29	2,800,000.00	-1,015,164.29	136.26
Subtotal Salaries		233,433,757.50	232,067,600.09	-1,366,157.41	100.59
Benefits	2500	60,502,539.48	60,703,828.49	201,289.01	99.67
Total Salaries & Benefits		293,936,296.98	292,771,428.58	-1,164,868.40	100.40
OtherAllowances	5000	1,271,381.43	1,300,500.00	29,118.57	97.76
Travel Allowance	7000	110.58	2,000.00	1,889.42	5.53
Professional Development	9000	185,185.26	269,500.00	84,314.74	68.71
Meetings	9002	120,109.97	111,300.00	-8,809.97	107.92
Staff Training & Development	10000	969,070.41	1,044,300.00	75,229.59	92.80
Tuition-Taxable	10020	231,990.99	250,000.00	18,009.01	92.80
Training Ontario Police College	10100	163,016.23	225,000.00	61,983.77	72.45
Training Canadian Police College	10110	100,431.09	121,000.00	20,568.91	83.00
Membership Fees	11000	106,263.23	130,550.00	24,286.77	81.40
Advertising Publicity	11050	59,479.77	22,600.00	-36,879.77	263.18
SpecialEvents	11250	202,468.69	194,900.00	-7,568.69	103.88
PublicRelations	11300	240,914.24	252,600.00	11,685.76	95.37
Telephone	12010	156,207.81	166,500.00	10,292.19	93.82
TelephoneEquipment	12030	24,286.13	16,300.00	-7,986.13	148.99
Telephone-Cellular	12050	542,617.46	540,000.00	-2,617.46	100.48
Telephone-Data	12055	197,292.70	166,100.00	-31,192.70	118.78
Publications_Subscriptions	12100	86,294.65	71,400.00	-14,894.65	120.86
Courier	12200	16,552.26	19,700.00	3,147.74	84.02
Postage	12250	41,017.85	64,400.00	23,382.15	63.69
Office Supplies	12350	219,272.52	309,600.00	90,327.48	70.82
Repair_MaintComputerSoftware	12400	2,839,072.43	2,869,000.00	29,927.57	98.96
ComputerSupplies	12410	78,801.72	150,500.00	71,698.28	52.36
PrintshopPrintingAllocation	12658	41,705.08	120,000.00	78,294.92	34.75
Printing-External	12750	116,022.33	160,200.00	44,177.67	72.42
OfficeEquipmentRental	12910	114,167.09	79,000.00	-35,167.09	144.52
TelecommunicationLines	13050	291,989.45	444,100.00	152,110.55	65.75
TelecomContracts	13060	338,744.98	335,000.00	-3,744.98	101.12
Total Administration Expense		8,754,466.35	9,436,050.00	681,583.65	92.78
ClothingSupplies	20000	1,717,677.51	1,638,800.00	-78,877.51	104.81
Equipment-FirearmsSpecialUnit	20170	594,644.13	668,100.00	73,455.87	89.01
Radio License	21000	166,032.00	167,000.00	968.00	99.42
MealsCatering	23135	61,891.62	63,500.00	1,608.38	97.47
AudioVisual	24010	165,991.89	122,500.00	-43,491.89	135.50
PhotographicEquipment	24040	95,189.12	98,000.00	2,810.88	97.13
PhotographicSupplies	24060	23,053.35	53,000.00	29,946.65	43.50
FingerPrintMiscellaneous	24070	13,161.92	25,000.00	11,838.08	52.65
FingerPrintChemicals	24080	4,445.89	6,000.00	1,554.11	74.10
InvestigationExpense	24090	382,680.99	988,500.00	605,819.01	38.71
Recruiting	25210	28,229.77	56,900.00	28,670.23	49.61
Personnel Agency Fees	25230	800,293.64	859,800.00	59,506.36	93.08
Material Supplies-External	26030	138,193.90	173,100.00	34,906.10	79.83
Gas Oil	26060	2,674,783.27	3,146,800.00	472,016.73	85.00
Diesel	26070	27,331.64	34,500.00	7,168.36	79.22
Purchase Of Service	28520	614,981.40	988,600.00	373,618.60	62.21
RentEquipment	29600	11,436.10	7,500.00	-3,936.10	152.48
Total Program Related Expense		7,520,018.14	9,097,600.00	1,577,581.86	82.66

*Police Services
Operations*

Year to Date Actuals

Annual Budget

Unexpended Amount

% Expended

LegalFees	25020	237,633.52	111,500.00	-126,133.52	213.12
Translation	25070	35,987.95	33,500.00	-2,487.95	107.43
Consultant	25100	185,854.58	305,000.00	119,145.42	60.94
Total Professional Services Expense		459,476.05	450,000.00	-9,476.05	102.11
Hydro_Water	30000	1,555,245.79	1,764,900.00	209,654.21	88.12
Heat	30020	318,958.28	377,400.00	58,441.72	84.51
OfficeCleaning	30031	937,521.80	1,102,100.00	164,578.20	85.07
Caretaking	30050	190,404.75	154,000.00	-36,404.75	123.64
PropertyBuildingRental	30090	1,094,663.62	1,069,400.00	-25,263.62	102.36
Regional Facilities Allocation	30098	966,156.39	988,936.00	22,779.61	97.70
InsuranceAllocation	30118	2,500,000.00	2,500,000.00	0.00	100.00
BuildingRenovations	30120	64,688.41	50,000.00	-14,688.41	129.38
Total Occupancy Expense		7,627,639.04	8,006,736.00	379,096.96	95.27
Repair_MaintBuildingExternal	31000	144,746.84	128,200.00	-16,546.84	112.91
Repair_MaintBuildingInternal	31009	699,158.56	641,000.00	-58,158.56	109.07
Grounds Maintenance	31050	267,422.30	294,800.00	27,377.70	90.71
Repair_MaintContracts	31200	7,581.14	13,400.00	5,818.86	56.58
Repair Maint Electrical	31430	99,095.16	90,000.00	-9,095.16	110.11
Repair Maint Mechanical	31500	588,799.65	535,200.00	-53,599.65	110.01
RepairMaintPlantEquipment	35700	1,441,974.61	1,550,700.00	108,725.39	92.99
Repair Maint Vehicles	37510	1,886,697.63	1,602,500.00	-284,197.63	117.73
Repair Vehicle Accidents	37515	301,743.79	293,000.00	-8,743.79	102.98
Total Repairs & Maintenance Expense		5,437,219.68	5,148,800.00	-288,419.68	105.60
BankCharges-General	50030	237,959.22	184,000.00	-53,959.22	129.33
Debt Issuance Fees	50050	-123,706.78	0.00	123,706.78	NIL
BadDebtExpense	50085	-2,037,638.93	0.00	2,037,638.93	NIL
Allocated-Debt Principle	54508	3,212,320.01	3,144,519.00	-67,801.01	102.16
Allocated-DebtInterest	54518	3,708,748.36	3,800,022.00	91,273.64	97.60
Total Financial Items		4,997,681.88	7,128,541.00	2,130,859.12	70.11
Contribution to Capital - Facilities	57210	320,141.77	1,046,000.00	725,858.23	30.61
ContribToDebtReductionReserve	57635	864,489.25	864,489.00	-0.25	100.00
ContribToFuelCostStabilization	57644	469,266.03	0.00	-469,266.03	NIL
ContribToSickLeaveReserve	57650	1,500,000.00	1,500,000.00	0.00	100.00
Contribution to Capital - Equipment	57670	1,291,297.31	1,274,000.00	-17,297.31	101.36
Contribution to Capital - Vehicles	57690	3,842,916.85	3,815,000.00	-27,916.85	100.73
ContribToSeizedMoney	57970	69,942.25	60,000.00	-9,942.25	116.57
Total Contributions to Reserves		8,358,053.46	8,559,489.00	201,435.54	97.65
Recovery - Emergency Services	61009	-56,900.00	-56,900.00	0.00	100.00
Allocated - Planning	62038	228,000.00	228,000.00	0.00	100.00
Allocated Transportation & Works	62048	245,931.35	408,800.00	162,868.65	60.16
Negotiated Legal	62098	730,100.00	730,100.00	0.00	100.00
Total Internal Charges		1,147,131.35	1,310,000.00	162,868.65	87.57
Purchase Of Equipment	40000	188,269.11	327,303.00	139,033.89	57.52
OperatingEquipment	40010	87,193.62	27,100.00	-60,093.62	321.75
VehicleEquipment	40040	90,990.26	120,000.00	29,009.74	75.83
ComputerHardware	41000	0.00	1,512.00	1,512.00	0.00
ComputerSoftware	41010	209,511.18	153,700.00	-55,811.18	136.31
Total Minor Equipment		575,964.17	629,615.00	53,650.83	91.48
Total Expenditures		338,813,947.10	342,538,259.58	3,724,312.48	98.91

Revenues

ProvincialGrant	71010	-13,405,749.75	-12,980,200.00	425,549.75	103.28
Total Provincial Funding		-13,405,749.75	-12,980,200.00	425,549.75	103.28
Recovery - Other	70400	-673,937.45	-639,100.00	34,837.45	105.45
Fees & Charges	75000	-4,680,907.93	-3,228,100.00	1,452,807.93	145.01
AdministrativeFees	75040	-1,054,200.38	-851,300.00	202,900.38	123.83
SundryRevenue	75060	-683,411.12	-112,000.00	571,411.12	610.19
PoliceEscorts	75090	-1,255,443.42	-915,000.00	340,443.42	137.21
AccidentReports	75130	1,247,096.34	-1,732,000.00	-2,979,096.34	-72.00
PrisonerEscorts	75150	-20,164.15	-40,000.00	-19,835.85	50.41
LeaseRentalRevenue	75160	-207,498.36	-125,000.00	82,498.36	166.00
AlarmMonitoringFees	75180	-1,559,914.05	-1,507,100.00	52,814.05	103.50
ThirdPartyRecovery	75310	-1,883,425.71	-1,771,600.00	111,825.71	106.31
ClearanceLetterRevenues	75330	-1,906,631.79	-1,709,000.00	197,631.79	111.56
VolunteerApplicantScreeningRev	75335	-1,822,774.00	-1,276,000.00	546,774.00	142.85
Freedom of Information Revenue	75340	-171,291.94	-150,000.00	21,291.94	114.19
VehicleAuctionProceeds	75520	-498,389.68	-374,100.00	124,289.68	133.22
Total Fees & Charges		-15,170,893.64	-14,430,300.00	740,593.64	105.13
ContribFromPoliceBuildingReserve	77060	-4,236,831.00	-4,236,831.00	0.00	100.00
ContribFromSickLeaveReserve	77650	-2,273,293.00	0.00	2,273,293.00	NIL
Contri From Seized Money	77830	-71,061.28	-100,000.00	-28,938.72	71.06
Total Contributions from Reserves		-6,581,185.28	-4,336,831.00	2,244,354.28	151.75
Total Revenues		-35,157,828.67	-31,747,331.00	3,410,497.67	110.74
Net Position		303,656,118.43	310,790,928.58	7,134,810.15	97.70

Notes / Assumptions

1. Excludes Regional allocations for telephone, occupancy, information technology, human resources, legal, and finance
2. Excludes non-budgeted PSAB charges for Tangible Capital Asset costs for amortization, debt principle and gain/loss on disposal of assets
3. Includes 2017 budget re-statement for benefits

FINANCIAL NOTES

SALARIES

The Salaries account is 100.7 percent spent at December 31, 2017 and includes \$2.3M of unbudgeted sick bank payouts, an option provided to staff under the current collective agreement. A draw from the Sick Bank Reserve has paid for this expense in full.

Net Overtime is 91.8 percent spent with a surplus position of \$316,733. Salary Overtime is overspent, but is offset by the favourable variance from Court and Returned Overtime. For comparison purposes, net overtime as of December 31, 2016 was 92.9 percent spent.

BENEFITS

Employee benefits accounts are favourable at 99.7 percent spent. Last year at this time accounts were 99.8 percent spent.

OPERATING EXPENSES

Total operating expenses are favorable at 90.2 percent spent. In comparison, last year at this time total operating expenses were 97.4 percent spent.

Administration Expense

Favorable variances in several accounts including Staff Training and Allowances, Office and Computer Supplies, Printing, and Telecom Lines are partially offset by unfavorable variances in Telephone Data, Publications Subscriptions, Advertising Publicity, and Office Equipment Rental. The Advertising Publicity account includes promotion expenses paid by the PAVIS grant which was not budgeted in 2017.

Program Related Expense

Overall spending is well below budget due to lower than expected spending for Investigative Expense, Firearms equipment, and Court document delivery services.

Professional Services Expense

Overall spending is on budget. Legal fees have exceeded annual funding and are offset by under spending in consulting funding.

Occupancy Expense

Occupancy savings from heat and hydro, and office cleaning expenses are partly due to the timing of the completion of the Training Facility.

Repairs & Maintenance Expense

Total repairs and maintenance costs are over budget due to unfavorable variances in vehicle maintenance and building maintenance accounts. The vehicle maintenance account includes expenditures for annual licence registration renewal and seasonal preventative maintenance.

Financial Items

In 2016, a Bad Debt provision was established on the direction of the York Region's Controllershship Office in anticipation of writing off receivables for Motor Vehicle Collision Reports due to unlikely collection. This provision was reversed in 2017 when the Police Services board approved credits to be issued for outstanding 2016 invoices. This bad debt provision reversal

offsets the revenue reversal impact to Motor Vehicle Collision revenue. Combined financing costs for debt principle, interest and issuance fees are favorable, whereas bank charges are over budget.

Contribution to Reserves

Contribution to Reserve account surplus is due to the fact that the Request for Tender for the #4 District renovation capital project was over budget, resulting in a deferral to 2018. The renovation was divided into three phases, with phase one commencing in Q4 2017.

Internal Charges

The surplus in Allocated Transportation & Works account reflects an underspent of using the Region's fuel during 2017.

Asset Acquisition

Purchase of equipment and Vehicle Equipment accounts are underspent, offset by higher than planned Operating Equipment and Computer Software purchase.

REVENUES

Provincial funding is favorable due to PAVIS funding received but not budgeted in 2017. This grant has been budgeted in 2018.

The majority of Fees and Charges, including Paid Duty, Sundry Revenue, Volunteer Applicant Screening, Clearance Letter Revenue, Lease Rental Revenue, FOI Revenue, and Vehicle Auction Proceeds, are over plan. The unbudgeted draw from Sick Bank Reserve funds \$2.3M of sick bank payouts against the Salaries account.

Revenues are under plan in Accident Reports due to the Board direction to cancel unpaid invoices issued for MVCRs from June 22, 2016 to March 23, 2017. The results reflect credits issued for 2017 invoices, which were processed in July, totalling \$741,553 pre-tax. In October 2017, credits were issued for 2016 outstanding invoices in the amount of \$2,037,640 pre-tax. The revenue impact of these credits was offset against a provision for Bad Debt Expense, which was initiated in 2016 due to collection uncertainty. The financial reporting reflects current year results and specifically excludes any prior year corporate adjustments that have no impact on the 2016 reported results.

POLICE SERVICES BOARD PUBLIC RELATIONS FUND

Year-to-date contributions to the reserve as of December 31, 2017 total \$69,942 and are all from forfeited monies. Interest earned on the account totals \$5,192. A draw from the reserve of \$71,061 has been made to pay for approved expenditures.

DEVELOPMENT CHARGE RESERVE

Development charge collections to date total \$4,706,876. Interest earned on this account totals \$295,783. Combined payments made on the development charge portion of debentures and Capital projects total \$5,127,950.

SICK BANK RESERVE

The year-to-date contribution of \$1,500,000 is on plan. A draw for \$2,273,293 has paid for sick bank payouts in February. Interest charges reflecting the debit balance of the reserve total \$85,465.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

MARCH 21, 2018

Proposals for Use of Public Relations Reserve Funds

RECOMMENDATION

1. That the Board approve disbursements from the Public Relations Reserve Fund to the Community Safety Village expansion project for \$100,000 and for the First Responders Day luncheon for \$10,000.

SYNOPSIS

This report requests the Board's approval for proposed disbursements from the Public Relations Reserve fund to the Community Safety Village expansion project and the First Responders Day luncheon. These initiatives were selected based on a review of the criteria outlined in the Board's Governance Public Relations Reserve Fund Policy.

FINANCIAL IMPLICATIONS

The Public Relations Reserve funds balance as of December 31, 2017 was \$301,187.

BACKGROUND

At its February 14, 2018 meeting, the Board received the Public Relations Reserve Fund Semi-Annual Report showing a balance of \$301,187 for the period ended December 31, 2017. As outlined in the report, revenues for the fund are from sale proceeds of lost, seized or abandoned

property in accordance with the processes outlined in sections 132 and 133 of the *Police Services Act*, 1990. The Board asked that I report back on possible uses for the fund.

The Board's Governance Public Relations Reserve Fund Policy outlines criteria for funding proposals, including: "support[ing] co-operative initiatives between York Regional Police and the citizens of York Region that foster community harmony and safety by encouraging people to value and treat each other with respect;" and, "recogniz[ing] the work of members of the Police Services Board and York Regional Police." Two initiatives that meet these criteria for the Board's consideration are:

1. Community Safety Village (CSV) expansion project - \$100,000. The CSV has been visited by over 400,000 children since its opening in 2000. The expansion project involves construction of approximately 204 square metres (2,200 square feet) consisting of a new classroom, a connecting hallway, an expansion of the office and upgraded mechanical systems. The programming for the additional classroom is to be focused on social justice studies, including issues of diversity and inclusion. The Board has allocated \$1.5 million for this project in the 2018 Capital Budget, funded \$150,000 from the debt reduction reserve and the remainder from development charges. This initiative was selected for the Board's consideration given the initial construction of the CSV was fully funded from proceeds of various fundraising initiatives, totalling \$3.5 million. Since 2006, the Board has provided a total of \$113,080 to the CSV via sponsorship of the annual golf tournament. The proposed \$100,000 contribution would forego a portion of the debt reduction reserve draw, thereby reducing repayment in future years from contributions from the Operating Budget.
2. First Responders Day - \$10,000. There are two annual luncheons to celebrate and recognize staff contributions to our Vision and Mission: First Responders Day in May; and, a holiday celebration in December. Since 2014, the Police Appreciation Night has funded the December holiday celebration. External funding is beneficial to ensure transparency to taxpayers for spending on staff events. The *First Responders Day Act* was enacted by the Province of Ontario to recognize and honour first responders on May 1st of each year. The proposal to fund the First Responders Day luncheon would result in both staff events becoming externally funded.

It is recommended that the Board approve disbursements from the Public Relations Reserve fund to the Community Safety Village expansion project and the First Responders Day luncheon.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:jc

Accessible formats or communication supports are available upon request

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

MARCH 21, 2018

Report on *Ontario Regulation 58/16: Collection of Identifying Information in Certain Circumstances (Street Checks)*

RECOMMENDATION

1. That the Board receive this report pursuant to Board Policy 01/16 Collection of *Identifying Information in Certain Circumstances – Prohibition and Duties*.

SYNOPSIS

The York Regional Police Quality Assurance and Risk Management Unit conducted an internal, audit of Street Checks submitted by officers between January 1, 2017, and December 31, 2017.

Officers submit Street Checks to the Record Management System 'Street Check Module', and each new submission is reviewed by a trained and designated verifier within the Diversity, Equity and Inclusion Bureau, who assess whether the submission is a regulated interaction with a member of the public as outlined in *Ontario Regulation 58/16 Collection of Identifying Information in Certain Circumstances – Prohibitions and Duties*. Further, a member of the Quality Assurance and Risk Management Unit also reviews and audits each submission and verification.

There were a total of 154 submissions made to the Street Check Module in 2017; however, only 35 submissions were determined to be regulated interactions, with only 16, or 46 per cent, involving a resident of York Region. This report summarizes the results of the audit.

FINANCIAL IMPLICATIONS

None.

BACKGROUND

On January 1, 2017, *Regulation 58/16 Collection of Identifying Information in Certain Circumstances – Prohibitions and Duties* came into effect setting new standards for voluntary police-public interactions. *Regulation 58/16* prohibits police officers from arbitrarily stopping and requesting identifying information from a member of the public.

The Regulation applies when a police officer asks an individual to identify themselves for the purpose of looking into suspicious activities, gathering intelligence or investigating general criminal activity in the community.

Officers are required to submit a Street Check, into the Record Management System, when they collect, or attempt to collect, identifying information from an individual, if it is for the purposes of:

1. inquiring into offences that had been or might be committed in the absence of a reasonable suspicion;
2. inquiring into suspicious activities to detect offences in the absence of a reasonable suspicion, and/or
3. gathering information for intelligence purposes.

Notwithstanding the above, an interaction is not a regulated Street Check, if:

1. the individual is required by statute to identify themselves (e.g. traffic stop);
2. the individual is under arrest, physically or psychologically detained;
3. the officer is executing a warrant; or
4. the officer is investigating a specific crime.

All Street Checks submitted to the Record Management System are reviewed by the Street Check Verifier, within the Diversity, Equity and Inclusion Bureau. The Street Check Verifier is designated by the Chief of Police to review Street Checks for compliance with *Regulation 58/16* and internal procedures and determines whether the records submitted will be accessible or remain private.

York Regional Police has elected to designate a member of the Diversity, Equity and Inclusion Bureau as the Verifier to ensure that above all else, the interactions are not bias-based or racially motivated.

In addition to the daily verification, the Quality Assurance and Risk Management Unit was tasked with conducting daily audits of all submissions made to the Street Check Module between January 1, 2017 and December 31, 2017.

Audit Findings

Regulation 58/16 requires the Chief to report whether the collection, or attempts to collect identifying information from individuals were disproportionately representative of a specific racialized group, sex, age or any combination thereof.

The audit of Street Checks submitted in 2017, did not reveal any disproportionate collection, or attempted collection, that would require further disclosure on behalf of the Chief of Police.

What follows are the audit results of the officer submissions to the Street Check Module of the Record Management System.

Submissions made to the Street Check Module and their designation

	Street Check in Accordance with O. Reg. 58/16	Determined not to be a Street Check as defined in O. Reg. 58/16
January	6	30
February	7	17
March	13	6
April	2	11
May	1	21
June	1	12
July	1	5
August	1	3
September	2	0
October	1	8
November	0	3
December	0	3
Sub-Total	35	119
Total Submissions	154	

Reasons for the Street Checks

	Inquiring into Offences	Inquiring into Activity	Gathering Intelligence
January	4	0	2
February	0	7	0
March	9	0	4
April	2	0	0
May	1	0	0
June	1	0	0
July	1	0	0
August	1	0	0
September	0	1	1
October	1	0	0
November	0	0	0
December	0	0	0
Total	20	8	7

Collection or Attempts to collect Identifying Information

	Successful Collection	Unsuccessful Collection
January	6	0
February	7	0
March	11	2
April	2	0
May	0	1
June	1	0
July	0	1
August	1	0
September	2	0
October	1	0
November	0	0
December	0	0
Total	31	4

Approved and Restricted Street Checks

An approved Street Check is a submission made to the Street Check Module of the Record Management System that was determined by the Street Check Verifier to have complied with *Regulation 58/16*. However, not all approved Street Checks are accessible by members. York Regional Police has a number of administrative criteria that must be met before the Street Check is approved for all members to view.

A submission to the Street Check Module of the Record Management System that does not comply with *Regulation 58/16* or York Regional Police Procedure LE-389 Street Checks is restricted from view to all members unless the Chief of Police approves access. A restricted Street Check may or may not comply with *Regulation 58/16*, in addition to failing to satisfy the administrative criteria set by York Regional Police.

In the interest of transparency, a decision was made not to amend or edit any submission made to the Street Check Module of the Record Management System, therefore, Street Checks restricted for administrative errors are unedited and not available for viewing. Officers are provided with feedback on each submission to assist them when making future submission.

The audit did not identify any Street Checks restricted for violating *Regulation 58/16*. Street Checks restricted for administrative errors (i.e. a submission made contrary to the criteria set out in York Regional Procedure LE-389 Street Checks) include those that contained more than one person per submission or failure to include the require text pages. None of the restricted Street Checks were restricted for being arbitrary stops or racial profiling.

When a submission should have been made elsewhere in the Record Management System, the submitting officer is notified where it should have been submitted and directed to do so. For example, a warning issued for a provincial offence should be submitted to the Ticket Module of the Record Management System and not the Street Check Module.

	Approved	Restricted
January	3	3
February	5	2
March	12	1
April	0	2
May	1	0
June	1	0
July	0	1
August	0	1
September	0	2
October	0	1
November	0	0
December	0	0
Total	22	13

Duty to Inform Before Collecting Information

An Officer is not required to inform an individual why they are attempting to collect their identifying information if it:

1. would likely compromise an on-going police investigation;
2. might allow a confidential informant to be identified; or
3. might disclose the identity of a person contrary to the law, including disclosing the identity of a young person contrary to the *Youth Criminal Justice Act*.

In all but two Street Checks (94%) officers provided the reason for the request for identifying information. In the two instances they did not, it was because the individual voluntarily identified themselves before the officer could make a request for their identifying information.

	Interactions where Person informed	Interactions where Person NOT informed
January	6	0
February	6	1
March	13	0
April	2	0
May	1	0
June	1	0
July	1	0
August	1	0
September	1	1
October	1	0
November	0	0
December	0	0
Total	33	2

Duty to Provide a Receipt

An officer who collects, or attempts to collect, identifying information from an individual shall offer a receipt that provides a record of the collection, or attempted collection.

In 28 of the 35 Street Checks (98%), officers provided a Street Check receipt of the interaction to the individuals. In the remaining seven instances, the individuals involved refused to accept a record of the interaction.

	Receipt Provided	Receipt Declined
January	5	1
February	6	1
March	10	3
April	2	0
May	1	0
June	0	1
July	0	1
August	1	0
September	2	0
October	1	0
November	0	0
December	0	0
Total	28	7

Sex Analysis

Regulation 58/16 requires that officers record, and include in their Street Check submission, the perceived sex of the individual from who they have collected, or attempted to collect, identifying information from. It also requires the Chief of Police to determine if any particular sex is disproportionately represented in the submissions and if so, to investigate and provide an explanation for the disproportionate representation.

The audit did not identify any disproportionate attempted collections from any sex. It should be noted that the very small number of Street Checks does not provide enough data upon which to draw any statistically significant conclusions.

	Male	Female
January	5	1
February	5	2
March	8	5
April	1	1
May	1	0
June	1	0
July	1	0
August	1	0
September	2	0
October	1	0
November	0	0
December	0	0
Total	26	9

Age Analysis

Regulation 58/16 requires that officers record, and include in their Street Check submission, the perceived age of the individual from whom they have collected, or attempted to collect, identifying information from. It also requires the Chief of Police to determine if any particular age group is disproportionately represented in the submissions and if so, to investigate and provide an explanation for the disproportionate representation.

The following age groupings have been utilized.

	12-17	18-29	30-49	50+
January	0	3	1	2
February	0	5	1	1
March	1	8	2	2
April	0	2	0	0
May	0	0	1	0
June	0	0	1	0
July	0	0	1	0
August	0	0	0	1
September	0	2	0	0
October	0	1	0	0
November	0	0	0	0
December	0	0	0	0
Total	1	21	7	6

The audit did not identify any disproportionate attempted collections from any age group. It should be noted that the very small number of Street Checks does not provide enough data upon which to draw any statistically significant conclusions.

Racialized Groups Analysis by Neighbourhood

Regulation 58/16 requires that officers record, and include in their Street Check submission, the perceived racialized group of the individual from whom they have collected, or attempted to collect, identifying information from. It also requires the Chief of Police to determine if any particular racialized group is disproportionately represented in the submissions and if so, to investigate and provide an explanation for the disproportionate representation.

York Regional Police based the list of racialized groups on 2016 National Household Survey as provisioned for in *Regulation 58/16*.

Five racialized groups were identified in the 35 Street Checks.

The audit did not identify any disproportionate collections, or attempted collections, from any racialized group. It should be noted that the very small number of Street Checks does not provide enough data upon which to draw any statistically significant conclusions.

The 2016 National Household Survey census data for the Regional Municipality of York provides the most current demographic information.

Racialized Group	Population	Percentage of Population	Percentage of Street Checks involving a Racialized Group	Percentage of Street Checks involving a RESIDENT of York Region
White	559,750	51%	.004%	.002%
Chinese	244,320	22%	.001%	.0004%
South Asian	116,695	11%	-	-
West Asian	41,735	4%	.002%	-
Black	27,775	2%	.018%	.010%
Filipino	25,870	2%	-	-
Korean	16,955	2%	-	-
Southeast Asian	14,050	2%	-	-
Arab	13,105	1%	.015%	.007%
Other	40,700	4%	-	-
Total Population	1,109,900	100%	.003%	.001%

The table above reveals that the total number of Street Checks conducted, during 2016, in aggregate, as well as by racialized group, is statistically insignificant in relation to the population of the Regional Municipality of York.

The following charts show the ethnic representation in Street Checks for each District compared to the 2016 Statistics Canada Census data for the communities within those Districts.

One District – 2017 Street Checks (Communities served Aurora, Newmarket, King City and East Gwillimbury)

Racialized Group	Population	Percentage of Population	Number of Street Checks	Percentage of One District Population	Percentage of Street Checks involving a RESIDENT of York Region
White	143,525	77%	14	.009%	.007%
Chinese	12,275	7%	-	-	-
South Asian	4,965	3%	-	-	-
West Asian	4,430	2%	-	-	-
Black	4,225	2%	-	-	-
Filipino	3,015	2%	-	-	-
Korean	1,545	1%	-	-	-
Southeast Asian	4,300	2%	-	-	-
Arab	1,445	1%	-	-	-
Other	5,505	3%	-	-	-
Total Population	185,230	100%	14	.009%	.007%

The table above reveals that the total number of Street Checks conducted, during 2016, in aggregate, as well as by racialized group, is statistically insignificant in relation to the population served by One District.

Two District – 2017 Street Checks (Communities served Town of Richmond Hill)

Racialized Group	Population	Percentage of Population	Number of Street Checks	Percentage of Two District Population	Percentage of Street Checks involving a RESIDENT of York Region
White	346,300	41%	0	-	-
Chinese	225,435	27%	0	-	-
South Asian	103,850	12%	0	-	-
West Asian	58,690	7%	1	.001%	-
Black	21,855	3%	1	.004%	-
Filipino	21,380	2%	0	-	-
Korean	15,130	2%	0	-	-
Southeast Asian	10,825	1%	0	-	-
Arab	11,105	1%	0	-	-
Other	32,705	4%	0	-	-
Total Population	847,275	100%	2	100%	0%

The table above reveals that the total number of Street Checks conducted, during 2016, in aggregate, as well as by racialized group, is statistically insignificant in relation to the population served by Two District.

Three District – 2017 Street Checks (Community served Town of Georgina)

Racialized Group	Population	Percentage of Population	Number of Street Checks	Percentage of Three District Population	Percentage of Street Checks involving a RESIDENT of York Region
White	41,075	92%	0	-	-
Chinese	660	1%	0	-	-
South Asian	700	2%	0	-	-
West Asian	185	0%	0	-	-
Black	685	2%	0	-	-
Filipino	345	1%	0	-	-
Korean	100	0%	0	-	-
Southeast Asian	155	0%	0	-	-
Arab	100	0%	0	-	-
Other	760	2%	0	-	-
Total Population	44,765	100%	0	0%	0%

There were no Street Checks conducted, during 2016, in the town of Georgina.

Four District – 2017 Street Checks (Community served City of Vaughan)

Racialized Group	Population	Percentage of Population	Number of Street Checks	Percentage of Four District Population	Percentage of Street Checks involving a RESIDENT of York Region
White	196,465	64%	5	.002%	.002%
Chinese	20,790	7%	1	.004%	.004%
South Asian	30,610	10%	0	-	-
West Asian	8,695	3%	0	-	-
Black	8,325	3%	1	.012%	-
Filipino	8,675	3%	0	-	-
Korean	5,345	3%	0	-	-
Southeast Asian	6,850	2%	0	-	-
Arab	4,280	1%	1	.023%	-
Other	14,110	4%	0	-	-
Total Population	304,145	100%	8	.002%	.002%

The table above reveals that the total number of Street Checks conducted, during 2016, in aggregate, as well as by racialized group, is statistically insignificant in relation to the population served by Four District.

Five District – 2017 Street Checks (Communities served City of Markham, Town of Whitchurch-Stouffville)

Racialized Group	Population	Percentage of Population	Number of Street Checks	Percentage of Five District Population	Percentage of Street Checks involving a RESIDENT of York Region
White	100,850	27%	4	.004%	.001%
Chinese	153,675	41%	2	.001%	-
South Asian	63,905	17%	0	-	-
West Asian	8,620	2%	0	-	-
Black	10,660	3%	3	.028%	.028%
Filipino	10,040	3%	0	-	-
Korean	4,535	1%	0	-	-
Southeast Asian	2,830	1%	0	-	-
Arab	3,700	1%	2	.054%	.027%
Other	14,280	4%	0	-	-
Total Population	372,735	100%	11	.003%	.001%

The table above reveals that the total number of Street Checks conducted, during 2016, in aggregate, as well as by racialized group, is statistically insignificant in relation to the population served by Five District.

Restricted Database Access

Access to Street Checks that were restricted is limited to designated work areas and members in accordance with York Regional Police Procedure LE-389 Street Checks. Access to the restricted Street Checks is recorded on a Street Check Access Text Page for mandatory reporting in accordance with *Regulation 58/16*.

The audit identified that only Strategic Services and Information Technology personnel accessed restricted Street Checks in 2017. The purpose for accessing restricted Street Checks was to assist in conducting audits and reviews to train members who evaluate Street Checks and the implementation of the new process. It was determined that access to restricted records was conducted in compliance with *Regulation 58/16* and Procedure LE-389 Street Checks.

There were no incidents of restricted records being accessed for investigative purposes or by members from outside of the designated units noted in the chart below.

Unit	Date Accessed	Reason For Access
Chief of Police or Chief's Designate	Never Accessed	N/A
Legal Services	Never Accessed	N/A
Street Check Verifier or Designate	Never Accessed	N/A
Supervisor of Freedom of Information	Never Accessed	N/A
OIC of Strategic Services or Designate	Various & Continuous	Review, Training & Audit
Supervisors of Professional Standards	Never Accessed	N/A
Information Management Managers	Never Accessed	N/A
Information Technology	Various Dates	Training Purposes
Members designated by Chief of Police	Never Accessed	N/A

CONCLUSION

The number of Street Checks conducted, during 2016, is statistically insignificant in relation to the population of York Region. It is also the case that the instances of Street Checks in aggregate, and in each District, is statistically insignificant. Only 46 per cent, or 16, of the Street Checks involved residents of York Region, representing just .001 per cent of the total population.

It is my conclusion that York Regional Police Officers have conformed to the requirements of O. Reg. 58/16, and that no racialized group, sex, age or other demographic has been disproportionately represented in the Street Checks conducted in York Region during 2016.

EJ:snb

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

MARCH 21, 2018

2017 Communication Tower Agreements

RECOMMENDATION

1. That the Board receive this report in accordance with the annual reporting requirements on the status of communication tower agreements in the Board's Installations on Radio Communication Towers Policy No. 02/09.

SYNOPSIS

In 2017, the Board had eight communication tower agreements with six licensee firms, namely: Bell Mobility; Alectra (previously Powerstream); The Royal Canadian Mounted Police; Rogers Wireless; Sitecom Services; and, Vianet (Canadian Wireless). Of the eight agreements, one is currently being renewed and the remaining seven agreements expire between 2018 and 2021. In accordance with Board policy, the status of the 2017 Communication Tower Agreements will be provided to the Board within the first quarter of 2018.

FINANCIAL IMPLICATIONS

Funds in the amount of \$125,000 were included in the 2017 Operating Budget for communications tower revenue. In 2017, the Board realized revenue of \$207,498 by granting telecommunication companies and other telecom users licenses to install telecommunications equipment (primarily antennae and related equipment) at owned tower sites. Tower revenues will be reported to the Board at its March 21, 2018 meeting within the Financial Statements (un-audited) for the period ending December 31, 2017.

BACKGROUND

On January 22, 2009, Regional Council adopted the Communications Installations on Regional Property Policy Update Report that related to the installation of telecommunications equipment by third parties on Regional Municipality of York property. Each telecommunications license is granted subject to the terms and conditions set out in the Regional Municipality of York Police Services Board policy, titled, "Installations on Radio Communication Towers" (Policy No. 02/09). The Board realizes revenue by granting telecommunications companies and their telecom users licenses to install telecommunications equipment at three tower sites. The following chart provides the relevant details associated to the various contracts.

Communication Tower Contract Status and Revenue by Location

Tenant	Contract End Date	Tower	2017 Revenue
RCMP	August 31, 2018	Egypt	\$5,834
Alectra (formerly Powerstream)	April 30, 2019	Hope	\$19,820
Bell Mobility	April 2015, renewal in process	Hope	\$26,902
Bell Mobility	April 30, 2019	King	\$32,360
RCMP	March 16, 2021	King	\$29,667
Rogers	April 30, 2019	King	\$20,120
Sitecom	April 30, 2019	King	\$13,346
Vianet	April 30, 2019	King	\$32,362
King Township		King	\$27,087
Total Revenue			\$207,498

With respect to future revenue, effective in 2018 all communication license agreements are subject to an annual five percent increase.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:mm

Accessible formats or communication supports are available upon request.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE EXECUTIVE DIRECTOR

March 21, 2018

**Bill 175, *Safer Ontario Act, 2018*:
Final Submission to the Standing Committee on Justice Policy**

RECOMMENDATION

1. That the Board receive the final written submission on Bill 175, *Safer Ontario Act, 2017*, (Appendix “A”).

BOARD SUBMISSION TO COMMITTEE

At its February meeting, the Board approved a draft submission on Bill 175, *Safer Ontario Act, 2018* to the Standing Committee on Justice Policy. The Executive Director made appropriate formatting changes to the draft submission, in consultation with Region Legal, in preparation for submission to the Standing Committee. The written submission (Appendix “A”) was forwarded to the Standing Committee on Justice Policy by March 1, 2018.

PASSAGE OF BILL 175

On November 2, 2017, the Government of Ontario introduced Bill 175, *The Safer Ontario Act, 2017* – a comprehensive legislative package which represents significant changes to policing. The Board has been very involved in the review of the *Police Services Act* which includes four written submissions and multiple meetings with Ministers Lalonde and Naqvi and with Justice Michael Tulloch.

On March 8, 2018, the *Safer Ontario Act, 2018* passed in the Legislature and is expected to come into force over the next few months. The Bill passed with numerous amendments. The regulations are expected at the end of this year.

FINANCIAL IMPLICATIONS

There will be financial implications for the Board associated with the new legislation.

CONCLUSION

This new legislation will have a large impact on police services boards including broadening the mandates of boards and increasing their responsibilities. Police services boards will need to begin considering and preparing for changes to its policies and processes.

Mafalda Avellino
Executive Director

Attach. (1): Appendix A: Final Submission from the York Regional Police Services Board to the
Standing Committee on Justice Policy



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

17250 Yonge Street, Newmarket,
Ontario, Canada L3Y 6Z1

Tel: 905.830.4444 or 1.877.464.9675 ext. 77906

Fax: 905.895.5249

E-mail: psb@yrp.ca • Web: yrpsb.ca

The Regional Municipality of York Police Services Board **BILL 175, Safer Ontario Act, 2017** *Submission to Standing Committee on Justice Policy*

The Regional Municipality of York Regional Police Services Board (the “Board”) is the governing body of the third largest municipal police service in Ontario. York Regional Police serves over 1.1 million residents and is comprised of over 2,200 police officers and civilian support staff. The Board is pleased to see changes in the new Bill which support stronger governance and more transparency from police services and all oversight bodies including police services boards. Creating measures to increase public confidence and trust in the police and in oversight bodies is a critical objective. **The Board urges the Ontario Government to pass Bill 175 and to make long-awaited changes to policing and governance in Ontario.** Our Board has been very involved in the consultation process with multiple written submissions and meetings with Ministers Lalonde and Naqvi and Justice Michael Tulloch.

We urge the Province to evaluate costs associated with any pending changes to the legislation. It will be very difficult to ensure that our communities receive the highest quality policing services and strong governance bodies if we continue to rely on the municipal tax base. As you are aware, 90 percent of municipal police funding is derived from the tax levy. It is well known that the citizens of Ontario pay the highest policing costs in the country (about 20 percent higher). **Our Board also urges the Ontario Government to allocate appropriate funding to police services boards to ensure boards are set up to succeed.** Boards need to have access to resources and expertise to fulfill their mandate. Boards also needs independent resources and support to conduct its own research to support evidence-based decision making.

Proposals in Bill 175

1. Mandatory Training for Police Services Board

Overall, Bill 175 includes many recommendations submitted by the Board during the consultation phases of the Strategy for a Safer Ontario and the Independent Police Oversight Review. One of these recommendations is the provision of mandatory governance training to police services boards which will include human rights and systemic racism training for board members. The Board is very supportive of this provision. However, details of the prescribed training have not been provided yet, and it is not known at this time if the training costs will be borne by police services boards. **The Board urges the Government to provide appropriate resources and funding to boards to enable boards to receive critical training in order to meet their statutory obligations and to govern effectively.**

2. Effective Police Services Boards

Bill 175 also provides for the prescription of competencies for board members which was a recommendation of the Board. The Board supports the proposal that Boards possess a list of competencies to meet their mandates effectively. Police Services Boards serve the public's

interests; therefore, the Board urges the Government to consult with Boards when making appointments. **The Board also supports language to ensure that positions on boards do not remain vacant. To avoid this issue, perhaps the Government will consider using similar language used for municipal appointments on police services boards.**

3. Board Direction to the Chief

In its submissions, the Board sought more clarity on boards giving direction to the chief with respect to operational matters, and the draft legislation provides some clarity on this issue. The Bill addresses the Board's ability to discipline a sworn member. However, it is unclear in the Bill whether the Board can provide direction on the discipline of a specific civilian member. In that regard, the Board supports the proposal by Durham Regional Police Services Board which states that the Board should not direct the Chief on the discipline of any specific members, other than as it relates to the Chief and Deputy Chief. **The Board should maintain its focus on policy, governance and oversight functions. It is also unclear whether all direction from the board needs to be in writing in the form of policy which would promote transparency, accountability and consistency.**

4. Diversity Plans

Bill 175 contains a strong focus on diversity in policing and in police oversight including support, standards and resources for First Nations policing who opt into the Act. The Board supports the steps the Province is taking in this direction.

Under the new legislation, municipalities must develop and approve a diversity plan for appointing board members to ensure that boards are representative of the diversity of the population. The municipality must take appropriate steps to promote vacancies to groups historically underrepresented on the Board including indigenous groups and racialized groups. The Board is very supportive of this provision; **however, it is unclear if the Province will also be required to comply with the municipality's diversity plan when making appointments. Restricting the diversity plan to municipal appointments limits the effectiveness of such a plan and can minimize the diversity on a police board. The legislation should require the Province to have regard for the diversity plan in making its appointments. Boards should also be involved in the development of Diversity Plans.**

5. Community-Safety Plans

Bill 175 requires boards and municipalities to be more involved in community safety planning. In its previous submissions, the Board called for a collaborative, multi-sector approach to community safety with shared responsibilities among the stakeholders, government ministries and levels of government. Boards will also be required to consider the municipality's Community Safety and Well-Being Plan when developing its Strategic Plan. The Board supports this provision.

Municipalities will also be required to establish advisory committees with Board representation included on the committee. **Boards should have a prominent role and presence in the development of Community-Safety Plans and in the development of Diversity Plans. The Board urges the Province to allocate appropriate funding to boards to support this initiative which can create a significant burden on its current resources. The Board also**

urges the Province to include the Chief or his or her designate on the Advisory Committee.

6. Civilianization and Outsourcing

The Board supports AMO's proposals with respect to civilianization (pages 3 & 4 in Attachment 1). The Board supports the inclusion of alternate service delivery options. **Where a police officer is not required to perform a task or function, the flexibility to hire non-police personnel or outsource to alternate service providers to do that function is critical to sustainable and efficient police services. A modern policing model includes a variety of service providers all working together on common goals and to achieve the same results.** Boards should have the flexibility to deliver police services in the best way possible, including having regard to financial considerations. The Board also supports providing the same levels of governance and oversight for alternate service providers.

7. Inspector General

The Board supports the changes to the legislation which enhance transparency, accountability and governance including the establishment of the Inspector General (IG) role to oversee and monitor police services and police services boards in the public interest. The Inspector General would be provided with a mandate to ensure the delivery of adequate and effective policing while also having the power to receive and review complaints against police services boards, board members and chiefs of police. However, **the Board urges the Province to ensure that this additional level of oversight does not cause more confusion about the roles of various review bodies. This confusion was outlined in the Board's submission in 2016. Boards need to continue to be the primary oversight body with respect to police services and chiefs of police and the IG role should be supportive of the Board's primary function. The Board urges the Province to communicate clearly with the public on the various roles and functions of oversight bodies.**

8. Collective Bargaining Committee

There is little in the Bill that addresses the Board's concerns on the collective bargaining and interest arbitration process. For example, there is no change in the composition of the police services board bargaining committee in the Bill. **The Board calls upon the Legislature to reconsider the status quo on this matter. Boards should have the flexibility in determining the composition of its bargaining committee. This is critical to ensuring that boards have a fair and strong opportunity in negotiations. In addition, the new legislation should allow for exclusions of certain key positions from bargaining units such as the Finance Manager and HR Manager who are often relied upon by Boards during negotiations.**

9. Suspension without Pay

For many years, police boards and police chiefs have strongly advocated for suspension without pay. Ontario is the only province in Canada in which police chiefs do not have the discretion to suspend police officers without pay when the officer is charged with an offence or even convicted of an offence if the conviction is under appeal. The Board supports the provisions in

Bill 175 which expand the criteria for which an officer can be suspended without pay; **however, there are still restrictions. Suspension without pay is allowable only after criminal convictions or for serious off-duty offences which will likely result in dismissal. Our Board feels that the Chief should have more discretion when it comes to the discipline of a police officer than what is currently proposed in Bill 175.**

10. Additional Comments:

- The Board supports changes to the legislation which enhance mental health supports and which take steps to reduce police intervention in calls regarding people in crisis and the new legislation should provide for the most effective and appropriate response to people in crisis.
- The Board supports the provisions with respect to closed meetings. This will allow for more transparency and clarity when it comes to reporting to the public.
- The Board is also supportive of the extension of the probationary period of police constables to 18 months from 12 months.
- The Board supported mandatory post-secondary education for officers and the new Bill includes new educational criteria for the appointments of police officers. The Board further contends, however, that potential recruits complete an accredited program *before* being hired by the Board similar to most professions including doctors, nurses, lawyers and engineers. This is one of several recommendations made to the Ministry to assist with controlling the very expensive costs to police communities and to support the professionalization of policing.

11. Bill 175 and Labour Relations

While the Board feels that the legislative changes to policing and oversight will modernize the framework in Ontario, there is an opportunity for the Province to create more efficiencies and to develop a stronger model for sustainability as it relates to labour relations.

As stated by numerous stakeholders, the high cost of policing will have an impact on the ability to deliver effective police services to communities. There are many recommendations including changes to interest arbitration that are supported by the Board, the Ontario Association of Police Services Board and other stakeholders but have not been included in Bill 175 many of which are set out in Attachment 2 – a submission to the Standing Committee on Justice Policy by the Emergency Services Steering Committee. This submission along with AMO's submission (Attachment 1) are supported by our Board.

Conclusion

The Board appreciates the opportunity to provide the Standing Committee with feedback on Bill 175. Our Board has been very involved in the review of the *Police Services Act* and commends the Ontario Government for taking this opportunity to modernize the legislative and regulatory framework and to create a fairer and more accountable police oversight model. The new Bill

offers Boards the opportunity to make significant policy changes that will enable more effectiveness, accountability and transparency.

Attach (2): Attachment 1 – AMO’s Submission on Bill 175 to Standing Committee on Justice Policy
Attachment 2 – ESSC’s Submission on Bill 175 to Standing Committee on Justice Policy

Bill 175 - Safer Ontario Act, 2017

Submission to the Standing Committee on Justice Policy

February 12, 2018

Democratically elected local officials must provide for the full range of municipal services that keep Ontarians safe and healthy. That includes, but is not limited to, the financial needs of police services across the province and the OPP's municipal mandate.

Ontarians pay the highest policing costs in the country. Most of those dollars come from municipal property taxpayers. Ontarians also pay the highest property taxes in the country. In 2015-16, per capita spending in Ontario was \$362 while the provincial average across the country was \$328. If spending in Ontario matched the average of all provinces, Ontarians would be \$469 million richer. Those dollars could provide many of the local services that keep people safe and healthy.

Much of what has driven the cost of policing in Ontario is the legislation that governs policing. As a result, legislation that enables improvements to the efficiency and effectiveness of policing has been a key goal of municipal elected officials for many years. There are some changes in Bill 175 will advance the agenda to modernize policing, particularly with respect to oversight. But there are equally some elements of the Bill which will drive municipal costs and police budgets even higher.

The comments in this submission are focused on Schedule 1. The Association of Municipalities of Ontario (AMO) supports the measures included in Schedules 2-4 which focus on oversight agencies and processes. These measures will enhance public confidence in policing and oversight.

AMO also supports the themes within the submission of the Ontario Association of Police Service Boards (OAPSB). More specifically, Police Service Boards should be assured access to professional advice when at the bargaining table negotiating collective agreements. Boards must be empowered to delegate this authority to professionals as is the case for other employers. In addition, a Board's strategic plan must also be a required factor to be considered in an arbitrator's ruling, not just adequacy standards. If a Board's strategic plan is deemed irrelevant, Boards will not be able to govern.

What follows below are some other areas of the bill that need to be amended and are of keen interest to municipal leaders:

1. Mandating municipalities to develop Community Safety and Well-Being Plans (Part VIII, Section 187)

Proposed Municipal Changes:

1. Limit the scope of this mandate based on the size of a municipality or where an acute local public safety need exists.
2. Require participation of the Police Chief (or police service representatives).
3. Instead of legislation that punishes municipalities for non-compliance, encourage the development of such plans through outreach and financial support.

AMO supports the objectives of Community Safety and Well-Being planning on a voluntary basis. Pilot projects where such plans have been developed have demonstrated success precisely because of the voluntary participation of all partners. AMO supports the Ministry's development of a grant program or other means that supports the voluntary municipal development of Community Safety and Well-Being plans.

However, Bill 175 compels municipalities to bring various groups to the table over which municipal councils have little or no direct control. Specifically, the Bill prescribes that participants shall include

community service representatives from LHINs, health care, education, social services, child services, an elected official, and a police service board member. A notably absent participant is anyone from the police service itself. If the purpose of such a plan is to align community and policing services to achieve public safety objectives, the police service should also be present. If other groups are to be prescribed in legislation, so too should a representative from the police service. This is a key feature of existing community safety plans.

The Bill will require Councils to provide the Minister with information respecting the preparation, adoption or implementation of a plan. However, many of the representatives listed above, are provincial employees and not municipal employees. Thus, a Council's compliance with this section of the Bill (195.1), including implementation, will not be determined by a Council or its municipal employees. An errant individual or agency, wholly unrelated to the municipality, could hold a plan's implementation and a Council hostage by choosing not to participate. Legislative direction should be given to these provincial agencies to compel their participation or the scope of the mandate should be limited.

Under the Bill, a failure to implement a plan has consequences for elected officials. It means that the Minister has the power to appoint an individual with the powers of a Council. This is contrary to democratic values and the principles of responsible government.

Finally, there are practical considerations to imposing a one size fits all mandate for all 444 municipalities. Significant staff capacity limitations exist for many communities. For example, 190 municipalities have six or less full time administrative staff, 11 municipalities have only one full time administrator.

2. Civilianization (Use of Personnel, Part III, Section13)

Proposed Municipal Changes:

1. Permit the civilianization of court security and prisoner transportation functions.
2. Permit the civilianization of all specific functions listed in the Bill to include corporate entities.
3. Permit the civilianization of minor property offences, directing traffic, and crime scene security.

The ability to reduce costs is incumbent, in part, on ensuring officers are performing the critical public safety functions which require a sworn, armed officer. AMO supports the involvement of other public safety personnel to deliver public safety services. AMO's Policing Modernization Paper stated:

"A safe and secure community depends on multiple organizations and professions, not just the police. Security is built upon a broad safety and security web including private security, local health professionals, community groups, and municipal, provincial and federal government agencies. It is the effective functioning of this web which will deliver better, more efficient and effective public safety outcomes, not just police."

For examples of how the security web operates, one can look to the 2010 Vancouver Olympics or Ontario's hosting of the 2015 Pan American Games. A new model of policing will incorporate the growth and presence of private security, the growing involvement of social service and health care workers, and agencies with appropriate civilian oversight and governance. To that end, AMO

supports the public safety functions listed in Bill 175 which could be provided by non-police personnel.

However, additional functions should also be listed. They include: ground services for missing persons, some types of minor property offences like break-ins or vehicle theft (not in progress), directing traffic, and crime scene security. The government's intent on delivering civilianization should be clarified with these additions and the accompanying permissive regulations.

3. Consolidation of OPP Police Service Boards and Role (Schedule 1, Part V)

Proposed Municipal Changes:

1. Provide assurance in law that all municipalities will be represented on OPP Boards.
2. Provide some greater assurance in law that powers of an OPP Board are as similar as possible to those of an own-force board.
3. The OPP Police Governance Advisory Council should establish a mechanism to receive and provide advice to the Minister of Community Safety and Correctional Services and the President of the Treasury Board with respect to the fiscal position of municipal governments to inform the government's bargaining position with the Ontario Provincial Police Association.

Bill 175 would reduce the number and consolidate all existing OPP community policing advisory committees (non-contract or Section 5.1) and OPP police service boards (contract or Section 10) into one board per OPP detachment. In effect, this would eliminate nearly 100 OPP boards. The composition of OPP detachment boards shall be provided for in regulations. The functions of a board shall be the same as for other police service boards and shall continue to include the selection and monitoring the performance of the detachment commander. The detachment commander shall be responsible for the development of a "local action plan" (comparable to the strategic plan for other boards) and "consult" with the detachment board in its development. Similar to other boards, budget disputes between a council and a board would be referred to arbitration.

The elimination of nearly 100 OPP boards will put much more distance between a community, its board, and the police. Policing is fundamentally local. This proposal creates a significant logistical challenge. Detachment boundaries should not be the starting point for determining board boundaries. The importance of giving all municipalities a voice in policing needs to be emphasized, especially considering the public dollars which councils seek from the public to provide policing services. To that end, any consolidation of Boards should be done in a manner that provides for the representation of all municipal councils and regulations should prescribe how differences in service levels (and costs) between communities will be managed.

In addition, an OPP Police Governance Advisory Council would be established to advise the Minister on the responsibilities of the Commissioner. This proposal touches on recommendations made by AMO's Policing Modernization Paper related to establishing such a body. The Governance Council should also include the mandate to provide the Minister of Community Safety and Correctional Services and the President of the Treasury Board with advice regarding the fiscal position of municipal governments to inform the government's bargaining position with the Ontario Provincial Police Association.

4. Police Service Boards (Part IV, own force)

Proposed Municipal Changes:

1. Either mandate diversity plans for both police service boards and police services or strike diversity plan requirement for boards.
2. Require in law that the provincial government expedite the appointment of its representatives to boards and in so doing, increase the diversity on a Police Service Board. This is consistent with the findings of shortcomings and delays noted by the Auditor General of Ontario's report on Public Appointments.
3. Diminish restrictions on former police officers servicing on a board to within one year of employment by a service.

In the context of the heavily prescribed police service board composition (municipal elected officials, provincial government appointees, and one council appointee), in effect, the applicability of a diversity plan would only apply to a council's sole community representative appointee. Therefore, this is not an effective means to broaden the diversity of boards. Elected municipal councils are entrusted with making a broad range of appointments to a long list of bodies already, including police service boards.

Expedited provincial appointments to police service boards would greatly improve governance, increase diversity, and maintain quorum. Legislation should establish minimum standards on the timeliness of provincial appointments.

The limits on former police officers serving on boards are unnecessarily restrictive and infringes on their rights as private citizens. Such limits should be eliminated after one year.

5. Establishment of a Provincial Inspector General (Part VI)

Proposed Municipal Changes:

1. Supporting boards in fulfilling their function should be a mandate of this office.
2. The Inspector General should be an independent office of the Legislative Assembly.

One of the primary roles prescribed in legislative seems to be devoted to monitoring and inspecting boards. The role should also include supporting boards in fulfilling their mandates including the development of strategic plans, determining new OPP police service boards' composition, supporting the expedited appointment of provincial appointees, and supporting mandatory board training programs.

6. Suspension without Pay (Part IX, Section 150)

Proposed Municipal Changes:

1. AMO support further amendments which ensure the ability of a Chief to maintain discipline within the police service.

It is unlikely that the suspension without pay provisions in Bill 175 will meet the public's expectations of equity and fairness. Chiefs have expressed concerns with the restrictiveness and limitations of the suspension without pay provisions, AMO urges further action in this regard.

7. Waterways Policing (Part III, Section 6)

Proposed Municipal Changes:

1. Provide greater legislative clarity to avoid overlap with waterways currently policed by the OPP.

As written Bill 175 will expand requirements for all municipalities to build waterways policing capacity. This represents an unnecessary duplication of service with potentially significant cost implications.

Conclusion

In the words of Justice Stephen T. Goudge, QC who authored a paper on the future of policing: "Police services must adapt if they are to improve the effectiveness and efficiency with which they deliver safety and security." Municipal leaders are seeking legislative change that promotes the effective and efficient delivery of public safety and policing into the future.

A multitude of services are needed to build safe and healthy communities. Local elected officials and municipal governments must oversee the financing and delivery of many services that Ontarians rely on everyday. This includes policing indirectly, among others. The contributions of the Association of Municipalities of Ontario and local elected officials are from this broader context. This is the time to look at the fundamentals upon which police services have been built, and lay the foundation for long-term sustainability and quality delivery into the future.



**Submission to the Standing Committee on Justice Policy
re: Bill 175, Safer Ontario Act, 2017**

Stronger reforms to the current interest arbitration process than provided in this proposed legislation are necessary to provide a better balance between fair remuneration and local economic conditions, the ability of municipalities to pay as well as making interest arbitration awards more transparent and accountable.

Arbitrated salary awards in the emergency services have consistently exceeded the rate of inflation, cost of living and wage increases negotiated with other unionized staff in the same municipality. Recent collective agreements in the police sector have been in a moderate decline in the rate of wage increase but recent increases in the fire sector are likely to reverse that trend and push police wages back in an upward trend. Police wages remain in an upward trend – they are just increasing at a slower rate.

In response to the government's consultation on the "**Strategy for a Safer Ontario**," ESSC worked with the Ontario Association of Police Services Boards and the Association of Municipalities of Ontario to advocate for reforms to the labour relations provisions of the *PSA* including interest arbitration. Up to 90% of the budget of a police service is comprised of wages and benefits, matters that are often determined through interest arbitration if an agreement cannot be reached during collective bargaining. Despite the high percentage of agreement achieved through collective bargaining, wages and benefits in the police and fire sectors are heavily influenced by arbitration awards. As a result, restoring balance to the interest arbitration system is a key priority for municipalities and police services. It must form part of the reform of the *PSA* if reform is to have a meaningful impact on the fiscal sustainability of policing.

In order to ensure balance, transparency and accountability to the interest arbitration system, there must be substantive and meaningful reform to:

- Improve accountability and transparency of arbitration awards by requiring arbitrators to consider a municipality's capacity to pay based on a comparison of the freely negotiated bargaining settlements in the same municipality, including those of bargaining units with the right to strike and demonstrate such consideration in their awards. The criteria for comparison of wage settlements should not be limited to only emergency services.

- Establish clear, measurable criteria that include the evaluation of the economic health of the municipality, to be considered on the basis of the labour market characteristics, property tax and socio-economic factors.
- Enable either party to request written reasons for an arbitrator's award, and ensure such reasons demonstrate that the arbitrator gave due and proper consideration to the criteria.
- Deliver procedural changes to ensure that the arbitration system is timely and fair to both parties including limits on submissions and time limits for the delivery of written decisions.

Our submission to the consultations is attached as an appendix.

We further submit that more flexibility in the composition of Policy Services Board bargaining committees is required to ensure a fair playing field in arbitration processes.

Lastly, we also call upon the Legislature to provide more impactful changes to the ability of police chiefs to suspend officers without pay than are currently provided for in the proposed legislation.

We have attached our submission to the **Strategy for a Safer Ontario** consultations to provide you with detailed background on the amendments to Bill 175 that the ESSC respectfully requests be made by the Committee.

These are:

Exclusions from the Bargaining Unit

Part VII – Section 118 be amended to create additional exclusions from the bargaining unit for those personnel who are engaged in labour relations or whose jobs require them to provide labour relations advice to the Chief and/or Board in support of collective bargaining, grievance and arbitration and disciplinary matters. This would mimic similar provisions in the Labour Relations Act.

Bargaining Committee

Amend Part VII by deleting sections 120(1) and (2) to enable police services boards and/or the municipality responsible for policy services to determine how it will conduct its collective bargaining.

The Police Services Act remains the only statute that dictates the composition of the employer's bargaining committee. This provision restricts the ability of the employer to determine how to resource its bargaining committee. Police services boards should

have the same right as the associations and employers in other sectors to draw upon expertise and resources they deem appropriate.

Interest Arbitration

Amend Part IX the Police Services Act (sections 122-127) to provide for the following:

Procedure

Time and place of proceedings

(#) (1) Subject to subsection (2), the board of arbitration shall fix the time and place of the arbitration hearing and shall notify the Minister of the time and place and the Minister shall notify the parties. The arbitration hearing shall occur within the municipality in which the Service provides services.

When proceedings commence

(2) The board of arbitration shall begin the proceedings within thirty (30) days after he or she is appointed.

Time for submission of Issues

(#)(1) Upon confirmation of the date of the arbitration hearing, the board of arbitration shall convene a conference call within thirty (30) days, or such other time as the board of arbitration, in consultation with the parties, determines is appropriate, with the parties' representatives to discuss and direct the appropriate hearing procedure, and to resolve any preliminary issues regarding such process.

(2) Following the discussions required by subsection (1) above, the board of arbitration shall direct that:

(a) the parties exchange a written list of all of the matters that they intend to submit to the arbitrator, in the form of the proposed amendments to the collective agreement, thirty (30) days prior to the arbitration hearing or such other time as the board of arbitration, in consultation with the parties, determines is appropriate;

(b) a party shall not be entitled to raise any matter(s) at the arbitration hearing that were not disclosed in accordance with subsection (#)(a) except where the board of arbitration concludes that the failure to raise the issue previously was as a result of a material change in circumstances beyond the control of the party seeking to raise the matter(s);

(c) any other direction that the board of arbitration may determine is appropriate in the circumstances.

(3) The process determined pursuant to subsections (1) and (2) above shall be binding on the parties and the arbitrator shall not be entitled to relieve any party of their obligations set out therein except as expressly provided.

Limit on submissions

(#) (1) Subject to subsection (#) (2), a party shall not be entitled to raise any submissions or evidence following the arbitration hearing that would have been properly the subject of submissions either in the party's primary submissions or through oral submissions at the arbitration hearing.

Idem

(2) A party may provide arbitral awards and/or judicial decisions decision to the arbitrator post-hearing if,

(a) the arbitral award and/or judicial decision was not available prior to the arbitration hearing;

(b) the arbitrator permits the submission of same; and

(c) the other party is given an opportunity to make written submissions concerning the arbitral award and/or judicial decision.

(3) Where the opposing party is afforded the opportunity to make written submissions in accordance with subsection (#)(2)(c), any such submissions shall be made within twenty-one days from the date of the arbitrator's order permitting the submission of the decision. Following the opposing party's submissions, no further submissions may be made with respect to the arbitral award and/or judicial decision in question by either party.

Duty of arbitrator

(#). (1) The arbitrator shall convene an oral hearing to decide on the matters that are in dispute, but the arbitrator shall not decide upon the following: the employer's obligation to provide certain levels of services, the employer's obligation to provide certain types of equipment, the employer's obligation to provide or ensure certain levels of staffing or deployment.

Powers of the Arbitrator

(2) The arbitrator shall have all the powers of a chair and the members of a board of arbitration under the *Labour Relations Act, 1995*. SO 1995, c 1, Sch A

(3) In exceptional circumstances, the arbitrator shall be entitled to refer specific matters still in dispute back to the parties for further bargaining and direct that the parties do so. If so directed, the parties shall forthwith meet and bargain in good faith to attempt to resolve the matter(s) still in dispute. Within thirty (30) days of being directed to bargain, the parties shall advise the board of arbitration of the results of their bargaining. No information will be provided to the board of arbitration except to advise that the parties were successful, and the specific matter is no longer in dispute, or that the specific matter remains in dispute. The parties are not permitted to alter their remaining items in dispute after the bargaining process described in this subsection.

Criteria for Board of Arbitration's Decision

Repeal section 122(5) and replacing with the following:

122 (5) In making a decision or award, the arbitrator or arbitration board shall take into consideration all factors it considers relevant, including all of the following criteria:

- a) A comparison, as between the employees and other employees in the public and private sectors, of the terms and conditions of employment;
- b) Replication of freely negotiated collective bargaining settlements in the same municipality, including those who have the right to strike, and comparable municipalities having regard to the relative economic health of those municipalities;
- c) The economic health of Ontario and the municipality, including but not limited to changes to labour market characteristics, property tax characteristics and socio-economic characteristics;
- d) The employer's ability to attract and retain qualified employees;
- e) The interest and welfare of the community served by the police service; and,
- f) Any local factors affecting the community.

Time for decision

(#) The arbitrator shall give an award within 12 months after the conclusion of the arbitration hearing.

Written Reasons

(#) (1) Upon the request of either party, the arbitrator shall provide written reasons for his or her decision or award, which shall clearly demonstrate that the arbitrator has given due and proper consideration to the criteria articulated in subsections (#)(2) and (#)(3).

Idem

(2) The requirement under subsection (#)(1) shall be satisfied where the written decision or award demonstrates that the arbitrator has given appropriate weight to the criteria enumerated under subsection (#)(1) and has considered all of the criteria articulated in subsections (#)(1) and (#)(2) in light of the written and oral submissions of the parties.

Suspensions with Pay

Amend Part V to review and amend provisions relating to disciplinary proceedings.

While we acknowledge that Bill 175 does contain some improvements in the accountability of police disciplinary proceedings, sworn police officers will still not be subject to discipline in a manner similar to civilian employees. It will still restrict the employer's ability to impose appropriate discipline as an employer in response to misconduct.

While we recognize and appreciate that Bill 175 does make some changes to the existing system, we recommend an amendment to Part V Section 89 to provide Chiefs of Police the discretion to suspend a police officer without pay when charged with serious Police Services Act violations.

Advancement Through the Ranks

Amend O.Reg 268/10 8(3) to extend the period of time for progression from fourth to first class constable.

We appreciate the opportunity to provide you with this input during the Committee's deliberations on Bill 175. We would be pleased to provide any clarification on the issues we have raised.

- 30 -

About the Emergency Services Steering Committee

The Emergency Services Steering Committee (ESSC) was established in 2005, as a joint committee of the municipalities of the Large Urban Mayors Caucus of Ontario (LUMCO), the Mayors and Regional Chairs of Ontario (MARCO), and the Ontario Association of Police Services Boards (OAPSB). The ESSC was formed in response to what were rapidly increasing emergency services costs across Ontario.

Today, our membership is comprised of municipal employer leaders and stakeholders involved in emergency services and municipal budgets, and we provide advocacy, background information and research on all issues relating to emergency service costs.

STRATEGY FOR A SAFER ONTARIO – CONSULTATION ON THE *POLICE SERVICES ACT*

Submissions of the Emergency Services Steering Committee

Background

The Emergency Services Steering Committee

The **Emergency Services Steering Committee (ESSC)** is a joint steering committee established by the municipalities represented by MARCO (Mayors and Regional Chairs of Ontario), and LUMCO (Large Urban Mayors Caucus of Ontario), and a number of other Ontario municipalities responsible for the delivery of emergency services. ESSC currently represents 47 Ontario municipalities as well as other municipal and emergency services agencies.

The ESSC was established to coordinate activities related to cost containment in the emergency services (police, fire and EMS). The ESSC provides a forum and resource for collaboration and strategic discussion and research on all issues relating to emergency services labour costs. Through research and data collection the ESSC provides municipal decision-makers and other stakeholders with accurate information on emergency service costs in an effort to form a coordinated, strategic approach to collective bargaining. In collaboration with the Association of Municipalities of Ontario and the Ontario Association of Police Services Boards, the ESSC has been actively engaged in advocacy for reform of legislation in the emergency services sectors since 2008, and actively leads initiatives to reduce or contain emergency services costs through more effective collective bargaining and labour relations.

The Rising Costs of Policing

Across Ontario, emergency service costs have increased about 30 per cent between 2006 and 2011. Three quarters of these costs are for wages and benefits. In fact, wage and benefit increases for emergency workers are growing faster than increases for other public sector employees in Ontario and faster than Canada's rate of inflation. Police services represent a significant portion of municipal budgets, and almost 90 per cent of a police budget is comprised of labour costs. Police employers along with municipalities responsible for fire services have long called for reforms to address the rising costs of emergency services.

The ever-increasing costs policing adversely impacts the ability of municipalities to deliver effective and efficient police services as well as other essential municipal services and programs. The recommendations contained in this submission address long-standing labour issues which impede the ability of police employers to modernize their labour structure, improve accountability and contain increases in labour costs. Communities large and small are concerned about the affordability of emergency services and the proportion of municipal spending that they are capturing. All communities in Ontario need to have access to emergency services that are safe, effective and affordable.

Board Effectiveness – Modernizing Police Labour Relations

1. Exclusions from the Bargaining Unit

Amend Part VII – section 118 to create additional exclusions from the bargaining unit for those personnel who are engaged in labour relations or whose jobs require them to provide labour relations advice to the Chief and/or Board in support of collective bargaining, grievance and arbitration and disciplinary matters. Currently all personnel with the exception of the Chief and Deputy are included in the bargaining unit(s).

Management staff, including those responsible for human resources, labour relations, senior finance personnel, and legal advisors should be excluded from the bargaining unit in a manner similar to that provided for in the Ontario *Labour Relations Act*.

2. Bargaining Committee

Amend Part VII – delete sections 120(1) and (2) to enable police services boards and/or the municipality responsible for police services to determine how it will conduct its collective bargaining.

The Ontario *Police Services Act* is the only statute in Canada to dictate the composition of the bargaining committee. This provision restricts the ability of the employer to determine how to resource its bargaining committee. There is no rationale for this provision and it should be deleted to give both parties the right to determine the composition of their own bargaining committees. Police services boards should have the same right as the associations and employers in other sectors to draw up expertise and resources they deem appropriate.

Increase Accountability of Policing

3. Interest Arbitration

Amend section 122(1)- (6) to reform the interest arbitration provisions to restore balance in the arbitration system, and increase accountability and transparency of awards.

The interest arbitration system in Ontario's emergency services, including police, needs to be reformed to ensure that it is balanced, transparent and accountable, expeditious

and accurately reflects what the parties would have negotiated had they been able to freely negotiate an agreement. Employers have long called for reform of the interest arbitration system because it no longer meets any of these criteria. Arbitrated salary awards in the emergency services have consistently exceeded the rate of inflation, cost of living and wage increases negotiated with other unionized staff in the same municipality. Ontario's interest arbitration system no longer reflects what free collective bargaining would otherwise have produced as an outcome; even when employers in the emergency services "freely" negotiate settlements they are constrained by the outcomes that would be awarded if they referred the agreement to arbitration. Labour cost increases in policing cannot continue without jeopardizing other components of the police service as well as other essential services and infrastructure needs of the municipality.

The interest arbitration provisions of the Act must be amended to:

- Improve accountability and transparency of arbitration awards by requiring arbitrators to consider a municipality's capacity to pay based on a comparison of the freely negotiated bargaining settlements in the same municipality, including those of bargaining units with the right to strike. The criteria for comparison of wage settlements should not be limited to only police in other municipalities.
- Establish clear, measurable criteria that include the evaluation of the economic health of the municipality, to be considered on the basis of the labour market characteristics, property tax and socio-economic factors.
- Enable either party to request written reasons for an arbitrator's award, and ensure such reasons demonstrate that the arbitrator gave due and proper consideration to the criteria.

In addition, procedural changes are required to ensure that the arbitration system is timely and fair to both parties.

4. Disciplinary Proceedings

Amend Part V – review and amend provisions relating to disciplinary proceedings. Sworn policers are not currently subject to discipline in a manner similar to civilian employees. The statutory regime for discipline of sworn officers significantly restricts the employer's ability to impose appropriate discipline in response to misconduct. This creates inequity within the police service as between sworn and civilian employees, and affords sworn officers with essentially "jobs for life," a privilege not afforded to any other employees in Ontario. The rights of sworn officers to due

process can be sufficiently protected without a disciplinary regime that fails to hold them to an equitable level of accountability for their conduct.

5. Suspensions with Pay

Amend Part V – section 89 to allow Chiefs of Police the discretion to suspend a police officer without pay when charged with serious *Police Services Act* violations.

Ontario is the only jurisdiction in Canada in which Chiefs of Police do not have the discretion to suspend police officers without pay when the officer is charged with an offence, or even convicted of an offence if the conviction is under appeal. There have been several examples of officers charged with serious offences who continue to receive full compensation while the charges proceed through the courts or disciplinary hearings, including appeals. These proceedings often continue for years; the police service has little control over the pace at which the court proceedings occur and officers have no incentive to move proceedings forward. Approximately 50 officers are suspended with pay in Ontario each year. The cumulative financial impact can be significant – as much as \$5 million/year in compensation.

The prohibition on suspension without pay applies regardless of whether charges arise from on duty or off duty conduct. Increased public awareness of cases involving serious charges has eroded public trust and confidence in the police, and the financial impact can create significant pressure on constrained police budgets. The Association of Municipalities of Ontario has reported that between 2005-2009, Ontario's "Big 12" police services boards paid \$16.9 million in salary to suspended officers. The Act should be amended to give Chiefs discretion to suspend officers without pay.

Education and Training Requirements of Police Officers

6. Probation

Amend section 44(1) to extend the length of the probationary period of constables and require that an officer serve the full probationary period while on active duty.

The Act currently provides for a 12 month period of probation with no provision to extend the probation in the event of interruptions in training, such as a leave of

absence. Officers should be required to serve the full probationary period on active duty to enable the employer to fully assess the officer's skill and competence.

Consideration should also be given to extending the probationary period until an officer has reached First-Class.

The Ministry's consultation guide suggests that the Ontario Basic Constable Training program should be enhanced. If this results in a longer period of training, the probation period should be extended accordingly.

7. Advancement Through the Ranks

Amend O.Reg 268/10 8(3) to extend the period of time for progression from fourth to first class constable. Currently a sworn officer progresses through the ranks from Fourth-Class to First-Class in 5 years with no requirement for additional training, skills or education as an officer progresses through the ranks. This is not consistent with career progress in other professions which require additional training and education to advance. The overall period of advancement should be increased from 5 to 8 years, and additional education and skill requirements should be imposed in order to reach the rank of First-Class.

6596605

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE EXECUTIVE DIRECTOR

March 21, 2018

**Amended Board Policies on Sexual Assault Investigations and
Criminal Harassment Investigations**

RECOMMENDATION

1. That the Board approve the draft amendments to the Sexual Assault Investigations policy and the Criminal Harassment Investigations policy (Appendix "A").

BACKGROUND

Section 29 of Ontario Regulation 3/99 under the *Police Services Act* requires a police services board to establish policies on a number of matters including sexual assault investigations and criminal harassment investigations. The Executive Director reviews the Board's policies on a regular basis to ensure compliance with the Regulation.

CONSULTATION

The proposed amendments were developed in consultations with the Executive Officer to the Chief of Police and York Region Legal Services.

PROPOSED CHANGES

The Board's policies on sexual assault investigations and criminal harassment investigations are compliant with the Ministry's requirements under the Regulation; however, there is no reporting component provided in the Board's policies. The inclusion of a reporting component, which reflects current practices and current board requirements, is a best practice which strengthens transparency and accountability to the public.

Further, the proposed changes also reflect the new format for Board policies.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

Mafalda Avellino
Executive Director

Attach. (1): Appendix A: Sexual Assault Investigations Policy; Criminal Harassment Investigations Policy



YORK REGIONAL POLICE SERVICES BOARD

DRAFT Sexual Assault Investigation Policy No. 02/00-36

Date Approved:	July 26, 2000
Date Reviewed:	2010, 2018
Dates Amended:	March 21, 2018
Reporting Requirement:	In accordance with internal auditing process
Legislative Authority:	Police Services Act, R.S.O. 1990, and c.P.15, as amended. s. 31(1); Adequacy Standards Regulation O. Reg. 3/99. S. 12(1)(r) and S.29
Related Board policy:	Audit Policy No. 01/08, amended June 2014.

1. Purpose

- a) Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into sexual assaults.
- b) In addition, section 12(1)(r) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into sexual assaults.

2. Policy Requirements

It is the policy of the Regional Municipality of York Police Services Board with respect to sexual assault investigations that the Chief of Police will:

- a) develop and maintain procedures and processes that:
 - i) require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan;
 - ii) require compliance with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
 - iii) address communications and dispatch, initial response and investigations relating to sexual assaults;
 - iv) address community notification;

- b) work, where possible, with hospitals and agencies which provide services to victims of sexual assault, including Sexual Assault Treatment Centres, Sexual Assault/Rape Crisis Centres and Victim Services, as well as the local Crown, to ensure a co-ordinated and effective response to victims of sexual assaults; and
- c) address training for officers and other appropriate members on the response to sexual assault occurrences, including victims' assistance.

3. Reporting Requirements

- a) As part of the statistical reports, the Chief of Police shall report to the Board on sexual assault incidents and the clearance rates.
- b) The Chief of Police shall report on compliance with this policy in accordance with the Board's Audit Policy No. 01/08.



YORK REGIONAL POLICE SERVICES BOARD

DRAFT Criminal Harassment **Policy No. 02/00-30**

Date Approved: July 26, 2000

Date Reviewed: 2010, 2018

Dates Amended: March 21, 2018

Reporting Requirement: In accordance with internal auditing process

Legislative Authority: Police Services Act, R.S.O. 1990, and c.P.15, as amended. s. 31(1); Adequacy Standards Regulation O. Reg. 3/99. S. 12(1)(c) and S.29

Related Board policy: Audit Policy No. 01/08, amended June 2014.

1. Purpose

- a) Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into criminal harassment.
- b) In addition, section 12(1)(c) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into criminal harassments.

2. Policy Requirements

It is the policy of the Regional Municipality of York Police Services Board with respect to undertaking and managing investigations into criminal harassment that the Chief of Police will develop and maintain procedures that address:

- a) the procedures for investigating criminal harassment complaints in accordance with the police service's criminal investigation management plan;
- b) the use of enhanced investigative techniques, such as behavioural science services as part of the investigation;
- c) the provision of victims' assistance;
- d) the information to be provided to police officers on criminal harassment; and

- e) compliance with the Ministry's designated Ontario Major Case Management Manual for criminal harassment cases that fall within the definition of major case.

3. Reporting Requirements

- a) As part of the statistical reports, the Chief of Police shall report to the Board on criminal harassment incidents and the clearance rates.
- b) The Chief of Police shall report on compliance with this policy in accordance with the Board's Audit Policy No. 01/08.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE EXECUTIVE DIRECTOR

March 21, 2018

**Ministry Inspection Report on the Investigation and Reporting
of Firearms Discharges Causing Death or Injury**

RECOMMENDATIONS

1. That the Board receive the correspondence and the Inspection Report from the Ministry of Community Safety and Correctional Services (the “Ministry”), as attached.
2. That the Board respond to the recommendation in the correspondence and the Report in accordance with its Audit Policy No. 01/08.

BACKGROUND

Section 13 of Ontario Regulation 926 (Equipment and Use of Force) under the *Police Services Act* requires investigations into the circumstances of firearms discharges by members of a police service in the performance of their duties that cause injury or death. Chiefs of police are required to submit reports on these investigations (“Section 13” reports) to police services boards. Boards are required to review the reports and make additional inquiries and file the reports with the Minister of Community Safety and Correctional Services including a report on any additional inquiries.

MINISTRY REVIEW FINDINGS

In 2017, the Ministry conducted an investigation, pursuant to section 3 of the *Police Services Act*, reviewing compliance with Section 13 of Ontario Regulation 926 (Equipment and Use of Force) for the January 1, 2012 and January 23, 2017 time frame. The Ministry received the requested documents from the Board including five Section 13 Board reports with the corresponding meeting minutes and the Board’s Use of Force Policy No. 01/14.

The Inspection Team found that the Board’s policy is compliant with the requirements of the Regulation. It also found that all reports of Section 13 investigations were submitted by the Chief to the Board for review by the Board in accordance with the Regulation.

Further, the Inspection Team found that the Board was not achieving compliance with the ongoing duty to file copies of Section 13 reports with the Ministry. The Board submitted four of the Section 13 reports to the Ministry in the January 2012 to January 2017 time frame. There was one report that was not filed with the Ministry in 2015. This report was received by the Board as a Section 11 report (pursuant to Ontario Regulation 267/10 made under the *Police Services Act* – Conduct and Duties of Police Officers Respecting Investigations by the Special

Investigations Unit) instead of a Section 13 although there was reference to Section 13 in the body of the report.

The report was submitted to the Ministry in 2017 during the Inspection process which renders the Board compliant with the requirements.

The scope of the review included all Ontario municipal police services boards and the O.P.P. The Ministry found that 20 of the 57 Section 13 reports among the group were filed with the Ministry, and no board was compliant with filing all its reports with the Ministry.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

Mafalda Avellino
Executive Director

Attach. (1): Letter and Report on the Ministry Inspection on the Investigation and Reporting of Firearms Discharges Causing Death or Injury



March 5, 2018

Her Worship Virginia Hackson, Chair
York Regional Police Services Board
17250 Yonge Street,
Newmarket, ON L3Y 4W5

**RE: Inspection on the Investigation and Reporting of Firearms Discharges
Causing Death or Injury**

Dear Mayor Hackson:

Police use of force continues to be a forefront issue for the policing community and has received significant public and media attention. The Ontario Ombudsman and the Office of the Independent Police Review Director have both reviewed Ministry of Community Safety and Correctional Services (ministry) direction on use of force.

Police Services Act (PSA) regulation 926 (Equipment and Use of Force), section 13, requires investigations into the circumstances of firearms discharges by members of police services in the performance of their duties that cause injury or death. Municipal chiefs of police are required to submit reports on these investigations to police services boards.

Boards are required to review the report, make additional inquiries as appropriate, and file a copy of the report with the Solicitor General; including a report on any additional inquiries. Ministry guideline AI-012 (Use of Force) recommends boards establish policy addressing compliance with these requirements.

In 2017, the ministry conducted an inspection assessing compliance with section 13 of the Regulation. I wish to thank the Board for its cooperation and assistance.

Your Board provided investigation reports for at least one firearm event triggering section 13 of the Regulation that occurred within your jurisdiction between January 1, 2012 and January 23, 2017. In addition, the Board policy relevant to the inspection was reviewed. The inspection found that the Board is not achieving compliance with the ongoing duty to file copies of investigation reports with the ministry. Recommendation #3 in the attached inspection report applies to your Board:

.../2

Municipal police services boards and the Commissioner should ensure that reports on investigations regarding the discharge of firearms causing injury or death are filed with or submitted to the Minister as soon as practicable.

If you have any questions or concerns, please contact Jeeti Sahota, Police Services Advisor, Operations Unit, at: jeeti.sahota@ontario.ca or 416-702-4404.

Regards,

A handwritten signature in black ink, appearing to read 'Morgan Terry', written in a cursive style.

Morgan Terry, Manager
Operations Unit, External Relations Branch
Public Safety Division

- c. Chief Eric Jolliffe, York Regional Police
- c. Jeeti Sahota, Police Services Advisor

Inspection on the Investigation and Reporting of Firearm Discharges Causing Injury or Death

January – June,
2017

Public Safety Division
25 Grosvenor Street,
12th Floor
Toronto ON M7A 2H3



Ministry of Community
Safety and Correctional
Services

ACKNOWLEDGEMENTS

The ministry thanks Ontario police services boards, the Ontario Provincial Police Commissioner and Ontario police chiefs for their assistance and cooperation during this inspection process.

Inspection Team:

Tom Gervais, Jeeti Sahota, Duane Sprague,
David Tilley and Graham Wight
Police Services Advisors
Operations Unit

Ashley Sarsam
Standards Research Analyst
Operations Unit

Reviewed By:

Stephen Waldie
Director
External Relations Branch

TABLE OF CONTENTS

INSPECTION OVERVIEW	4
Legislative Responsibilities.....	4
Inspection Program.....	5
Focussed Inspection.....	5
 INSPECTION FINDINGS	 6
Investigation and Reporting of Firearms Discharges Causing Injury or Death.....	6
Police Services Boards and OPP Commissioner - Policy.....	7
Police Services and Boards - Practices.....	7
 RELEVANT ISSUES	 9
Chief Investigations Arising From SIU Notification.....	9

INSPECTION OVERVIEW

Legislative Responsibilities

Ministry of Community Safety and Correctional Services

The *Police Services Act* (PSA) sets out the statutory responsibilities of the Minister of Community Safety and Correctional Services under section 3. Included are requirements that the Minister shall:

- conduct a system of inspection and review of police forces across Ontario;
- monitor police forces to ensure that adequate and effective police services are provided at the municipal and provincial levels;
- monitor boards and police forces to ensure that they comply with prescribed standards of service;
- provide to boards and municipal chiefs of police information and advice respecting the management and operation of police forces, techniques in handling special problems and other information calculated to assist; and
- develop and promote programs to enhance professional police practices, standards and training.

Police Services Board

Police services boards overseeing municipal police forces are responsible for the provision of adequate and effective police services in the municipality, including the determination of the objectives and priorities respecting police services. The board fulfills one of its governance responsibilities by establishing policies for the effective management of the police force.

Chief of Police

Municipal chiefs of police are responsible for the administration and operation of their respective police forces and overseeing its operation in accordance with the objectives, priorities and policies established by the board. The OPP Commissioner is responsible for providing adequate and effective policing to all municipalities that are not policed by a municipal police force.

The duties of chiefs of police include:

- establishing procedures for operational and administrative direction;
- ensuring that members of the police force carry out their duties in accordance with the PSA and regulations, and in a manner that reflects the community; and
- maintaining discipline in the police force.

Inspection Program

The ministry conducts inspections and monitors compliance with legislative and regulatory requirements. Inspections are based on relevant legislation, regulations and guidelines contained within the ministry's Policing Standards Manual.

The Policing Standards Manual guidelines are one of the mechanisms used by the ministry to meet the statutory requirements set out in section 3 of the PSA. The guidelines are also one of the primary tools to assist boards and chiefs of police with their understanding and implementation of the PSA and its regulations.

Ministry guideline content which does not address statutory or regulatory requirements is advisory in nature. Boards and chiefs of police may also consider comparable equivalents when addressing compliance with the PSA and its regulations. No recommendations will be made if policy, procedures or practices achieve compliance with statutory or regulatory requirements or they have equivalent outcomes to discretionary guideline content.

Focussed Inspection – PSA Regulation 926 s.13

Police use of force has been a forefront issue for the policing community for the past several years, receiving significant public and media attention. The Ontario Ombudsman and the Office of the Independent Police Review Director have both reviewed ministry direction on use of force.

PSA regulation 926 (Equipment and Use of Force), section 13, requires investigations into the circumstances of firearms discharges by members of police forces in the performance of their duties that cause injury or death. Municipal chiefs of police are required to submit reports on these investigations to their police services boards. The Ontario Provincial Police (OPP) Commissioner is required to submit reports to the Minister.

The described requirements have been in force since 1992.

Police services boards and the Minister are required to review investigation reports and make additional inquiries as appropriate. Boards must file a copy of the report with the Minister; including a report on any additional inquiries.

Ministry guideline AI-012 (Use of Force) recommends boards establish policy addressing compliance with these requirements. The guideline further recommends that the policy state the board will comply with its responsibilities under section 13 of the regulation, and directs the chief of police to investigate and file a report to the board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person.

In January, 2017, the ministry announced a decision to conduct an inspection focussed on the investigation and reporting requirements of PSA regulation 926 section 13. All municipal police services boards and the Commissioner were notified.

INSPECTION FINDINGS

Investigation and Reporting of Firearm Discharges Causing Injury or Death

For purposes of the inspection, municipal police services boards and the Commissioner were requested to submit investigation reports regarding firearm discharges causing injury or death that occurred between January 1, 2012 and January 23, 2017. In addition, the boards were to submit meeting minutes indicating the report was reviewed by the board and any subsequent inquiries. Boards and the Commissioner were to submit their policies on the use of force that addressed the investigation and reporting requirements of regulation 926 section 13. If there were no investigation reports, a nil response was requested and only the relevant policy was to be submitted.

As a baseline for compliance with the requirement to conduct investigations and report submission, data was extracted from information publicly posted online by the Special Investigations Unit (SIU) regarding events involving police firearm discharges that occurred within the inspection timeframe:

Police Services Notifying SIU – Firearm Discharges Causing Injury or Death			
Police Service	# Police Officers*	# Events	# SIU Concluded
Durham Regional	871	5	5
Greater Sudbury	264	1	1
Guelph	195	1	1
Halton Regional	697	4	3
Hamilton	805	3	2
London	598	1	0
Niagara Regional	702	1	1
Ontario Provincial Police	5800	8	7
Ottawa	1351	1	1
Peel Regional	2015	7	6
Peterborough	139	1	1
Toronto	5235	29	24
Waterloo Regional	739	2	2
York Regional	1579	3	3
Total Events		67	57
*From most recent Annual Report or other current report posted on police service website. Actual may vary.			

There were 67 events investigated by the SIU within the inspection scope. Of these, 57 investigations were concluded prior to January 23, 2017. The ministry has no expectation that a report would be received by a board or provided for inspection purposes prior to the SIU investigation conclusion.

Police Services Boards & OPP Commissioner - Policy

Ministry guideline AI-012 recommends that police services boards have policy addressing the use of force and related matters, including the investigation and reporting of firearms discharges resulting in injury or death. In addition, the guideline recommends that boards direct their chiefs of police to immediately investigate these events and file a report to the board.

Provincial policies of the OPP represent the Commissioner's direction to OPP members regarding their performance of duties and are contained in Ontario Provincial Police Orders. The statutory and regulatory duties and responsibilities of the Commissioner are delegated through OPP Orders.

Findings

Fifty of the 52 municipal police services boards submitted current policies on the use of force that addressed the requirements of O.Reg. 926 section 13. The policies were reviewed and found to address the section requirements consistent with ministry guideline AI-012. One of the exceptions did not have a use of force policy or alternative policy addressing the section 13 requirements. The second exception provided multiple use of force policies and amendments that did not provide coherent direction.

The OPP submitted Ontario Provincial Police Orders relevant to the inspection. The Orders were reviewed and found to address the requirements of O.Reg. 926 section 13, except for investigation report submission to the Minister. The Orders neither required the provision of the reports to the Commissioner to enable subsequent submission to the Minister, nor did they delegate the responsibility to submit the reports to the Minister.

Recommendations

1. Municipal police services boards either without policy or with incoherent policy on the use of force, particularly policy addressing O.Reg. 926 section 13, should develop and approve a policy or review and consolidate existing policies to ensure they are coherent.
2. The OPP Commissioner should revise OPP Orders to ensure compliance with O.Reg 926 section 13 regarding the submission of investigation reports to the Minister.

Police Services & Boards - Practices

All 52 municipal police services boards and the OPP Commissioner provided a response. Forty boards indicated they had not received an investigation report during the inspection time-frame. The nil responses were consistent with the baseline data.

The remaining 12 boards and the Commissioner provided positive responses and submitted investigation reports. The ministry received 53 of the 57 investigation reports indicated by the baseline data. Inquiries by the Inspection Team did not result in the location and submission of the remaining investigation reports and it is uncertain if investigations were conducted or reports submitted to boards for these events. Despite this, the Inspection Team found there is a high degree of awareness of the requirement for chiefs of police to investigate firearm discharges causing injury or death.

Meeting minutes submitted by 10 boards indicated the matter was reviewed. The remaining two boards provided documentation of recent report submission by the chief of police to the board but did not provide minutes indicating a review.

The investigation reports were found to be sufficiently detailed to enable boards to make an informed review and determine if additional inquiries should be made. There was no record of a board making additional inquiries that would require the further submission of reports by chiefs of police. Reports submitted by the Commissioner were found to be sufficiently detailed to enable the Minister to make an informed review.

The Inspection Team reviewed records indicating investigation reports had been filed with the ministry as required. A positive record was found for 20 of the 57 events within the inspection scope. No single police service filed reports for every event requiring an investigation. Four reports were filed with the Minister after boards were notified of the inspection and independent of the inspection process. The four reports had been submitted to boards between six months and two years prior to the inspection. The Inspection Team found that there is insufficient awareness of and compliance with the requirement to file or submit investigation reports to the Minister.

Recommendations:

3. Municipal police services boards and the Commissioner should ensure that reports on investigations regarding the discharge of firearms causing injury or death are filed with or submitted to the Minister as soon as practicable.

RELEVANT ISSUES

Chief Investigations Arising From SIU Notification – O.Regulation 267/10 Section 11

The SIU is authorized by section 113 of the PSA to cause investigations to be conducted into the circumstances of serious injuries and deaths that may have resulted from criminal offences committed by police officers. In support of the SIU authorization, PSA regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit) was enacted in 1998.

Section 3 of regulation 267/10 requires chiefs of police to notify the SIU immediately of an incident involving one or more of their police officers that may reasonably be considered to fall within the investigative mandate of the SIU, as set out in subsection 113 (5) of the PSA. Section 11 of the regulation requires chiefs of police to cause an investigation to be conducted forthwith into any incident with respect to which the SIU has been notified.

Therefore, events that trigger an investigation required by section 13 of regulation 926 also, with extremely rare exceptions, require SIU notification. The notification in turn triggers an investigation required by section 11 of regulation 267/10. The outcome and reporting requirements of the two regulations differ significantly. It is reasonable to expect that chiefs of police will cause an investigation to be conducted when a police officer discharges a firearm – especially if injury or death results. It is not reasonable to expect that two investigations will be conducted arising from the same event.

A review of the 53 investigation reports provided pursuant to the inspection revealed that 48 reports stated they were either conducted pursuant to section 11 of regulation 267/10 only, or to both regulations concurrently. Five reports stated they were submitted pursuant to section 13 of regulation 926 and clearly identified that they were abbreviated versions of more detailed reports arising from section 11 investigation reports, which had been previously submitted to boards.

It is reasonable to conclude that Ontario police services give priority to compliance with section 11 of regulation 267/10. This section sets out required investigation outcomes, the report submission period and public disclosure provisions, which are absent from section 13 of regulation 926. All of the investigations were conducted to presumably achieve full compliance with section 11, while compliance with section 13 was incidental.

The Inspection Team chose to review key requirements of section 11 as relevant to the scope of the inspection.

Investigation Outcomes:

Subsection 11(2) of regulation 267/10 sets out that the purpose of an investigation is to review the policies of or services provided by the police service and the conduct of its police officers. The review found investigation outcomes in 53 reports as follows:

Number of Reports with Regulated Investigation Purpose Outcomes		
Policies of Police Service	Services Provided	Conduct of Police Officers
23	48	51

All of the reports emphasise the SIU investigations which, with few exceptions, resulted in a decision to not charge subject officers with a criminal offence.

Investigation Reporting Period:

Subsection 11(4) of regulation 267/10 requires municipal chiefs of police to report their investigation findings and any action taken or recommended to be taken to the board within 30 days after the SIU director advises the chief of police that the investigation results have been reported to the Attorney General. Subsection 11(5) requires the Commissioner to prepare a report of investigation findings and any action taken within the same time period.

The Inspection Team compared the dates SIU investigations were concluded, extracted from submitted records or from SIU public announcements to the dates of meetings in which boards reviewed investigation reports submitted by chiefs of police. SIU investigation conclusion dates were also compared to the dates of section 11 reports of investigations delegated by the Commissioner. There were 47 investigations for which both dates were available for analysis.

The following results have been grouped according to the number of events investigated by a police service during the inspection period. The elapsed period between SIU investigation conclusion and required reporting is shown as a range from the shortest to the longest.

Average and Median Reporting Period Ranges		
# Investigations Conducted	Average	Median
Less than three	21 to 579 days	21 to 579 days
Three or more	43 to 118 days	46 to 90 days

Examining all 47 investigations for successive reporting periods revealed the following:

Number of Reports in Successive Reporting Periods				
Time Period	30 Days and Less	31 to 60 Days	61 to 90 Days	More than 90 Days
# of Total Investigations	5	16	5	21

Public Availability of Investigation Reports:

Subsections 11(4) and 11(5) of regulation 267/10 provide that boards and the Commissioner may make investigation reports available to the public.

The decisions of the Commissioner regarding the public availability of investigation reports were not recorded. The Inspection Team reviewed board minutes to determine if investigation reports were received in meetings open to the public or meetings when the public was excluded:

Number of Reports Reviewed in Public vs Public Excluded Board Meetings		
Public	Public Excluded	Minutes Not Provided
7	35	5

The investigation reports tabled at public meetings are presumed to be available to the public. There is no record in the reviewed minutes of a board considering the option to make an investigation report publicly available.

Recommendations:

4. The Ministry should review section 13 of regulation 926 and section 11 of regulation 267/10 to:
 - resolve concurrent requirements for investigations arising from the same set of circumstances;
 - determine the need for boards to continue filing investigation reports with the ministry as required by section 13 of regulation 926, and;
 - ensure the reporting period set out in section 11 of regulation 267/10 is practical and reasonable.

**THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD**

BY LAW NO. 03-18

**A By Law to Confirm
the Proceedings of the Board at its Meeting
held on March 21, 2018**

The Regional Municipality of York Police Services Board HEREBY ENACTS as follows:

1. The action of the Board in respect of each motion, resolution and other action passed and taken by the Board at its meeting is hereby adopted, ratified and confirmed.
2. The Chairman of the Board, the Chief of Police and Deputy Chiefs of Police are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman and Executive Director are hereby directed to execute all documents necessary in that behalf.

ENACTED AND PASSED this 21st day of March, 2018

Mafalda Avellino, Executive Director

Mayor Virginia Hackson, Chair